

3 1761 12063187 4

CAT
XCS
XCS



Digitized by the Internet Archive
in 2024 with funding from
University of Toronto

<https://archive.org/details/31761120631874>

CAI
XC 2
-80 D05

OBSTACLES
OBSTACLES
OBSTACLES
OBSTACLES



CANADA
HOUSE OF COMMONS

*Progress
Report*

**REPORT OF THE SPECIAL COMMITTEE ON THE
DISABLED AND THE HANDICAPPED**

DAVID SMITH
CHAIRMAN

JUNE 1982

PROGRESS REPORT

SPECIAL COMMITTEE ON THE DISABLED AND THE HANDICAPPED

FIRST SESSION, THIRTY-SECOND PARLIAMENT, 1980-82

FIFTH REPORT



The Fifth Report is available on
audio-cassettes from:

**Richard Rumas
Clerk
Special Committee on the
Disabled and the Handicapped
House of Commons
Ottawa, Ontario
K1A 0A6**

C91
XC 2
-80 DOK

INTRODUCTION



During the past fifteen months, the Committee has ascertained that there has been considerable progress made within the Government of Canada to act upon all of the recommendations which have been made in previous OBSTACLES reports. The Members of the Committee have been gratified by the interest, dedication and responsibility which have been demonstrated by several departments, by the Ministers of these organizations, and by their staff members. In many cases, these public servants have acted well beyond the wording of the recommendations, and have provided solutions to problems which show a deep understanding of the needs of disabled persons, and a commitment to their long-term aspirations.

While these efforts are laudatory, however, the Committee has identified certain obstacles which are built into the very structure of the bureaucracy, obstacles which prevent many of the concerns of the disabled community from being understood and addressed.

This progress report deals with both the accomplishments and the shortcomings of the Government response to disabled Canadians during the past year.

* * * * *

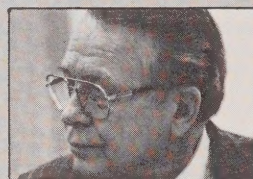
MEMBERS OF THE SPECIAL COMMITTEE



DAVID SMITH
DON VALLEY EAST
CHAIRMAN



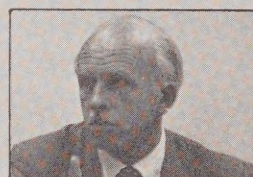
THÉRÈSE KILLENS
SAINT-MICHEL
VICE-CHAIRMAN



WALTER DINSDALE
BRANDON-SOURIS
VICE-CHAIRMAN



PETER LANG
KITCHENER



BRUCE HALLIDAY
OXFORD

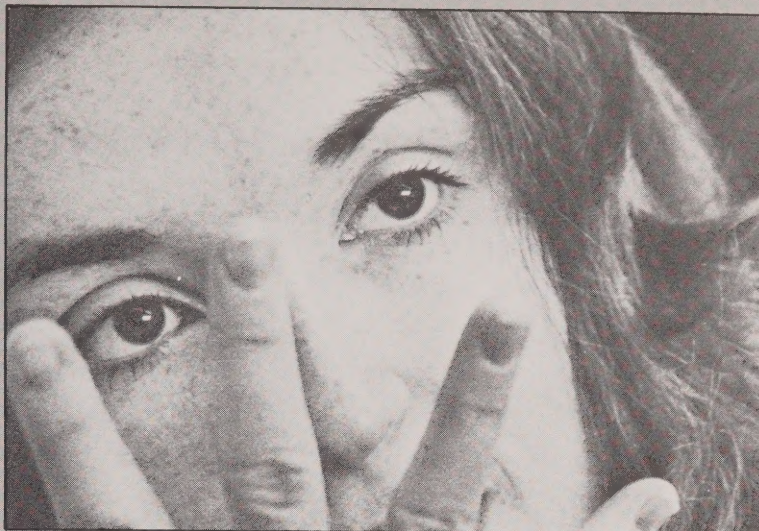


STANLEY M. HUDECKI
HAMILTON WEST



NEIL YOUNG
BEACHES

"The Committee does not see that it is asking for anything more than that which has already been done for other groups of Canadians—businessmen, scientists, farmers, labour unions, women, to name just a few. The question is not whether disabled persons are full members of Canadian society. They are. It is simply that the structure of the Government of Canada, at the present time, does not reflect this reality, and this must be corrected as soon as possible."



The Special Committee's Mandate Has Been To Report On The Needs Of The Disabled And The Handicapped Throughout Canada.

The original mandate of the Special Committee for the Disabled and the Handicapped was to report to the House of Commons on the needs and concerns of disabled persons, of whom there are more than two million in Canada. In its major report, *OBSTACLES*, which was tabled in the House in February 1981, the Committee made 130 recommendations for action on the part of the Government of Canada. These recommendations have subsequently been presented by the Government to its various departments, agencies and crown corporations so that action would be taken as soon as possible.

At the same time, the mandate of the Committee was extended through to the end of the present Session of Parliament. 1981 was the International Year of Disabled Persons, and it was determined by the House of Commons that the Special Committee could serve a useful purpose in bringing the key issues concerning disabled persons to the attention of the Canadian public during the course of that special year, and beyond. The Members of the Committee have appeared continually as guest speakers before public meetings, on television and radio programs, and as the subjects of interviews in newspapers and magazines. In addition, the Special Committee investigated during this period of its extended mandate the needs and concerns of disabled persons among the Native population in Canada. In December 1981, the Committee tabled a special follow-up report with twelve further recommendations for action, specifically focused on improvements for disabled persons in Native communities.

There Has Been Significant Response By The Government To The Committee's Recommendations.

During the past fifteen months, the Committee has ascertained that there has been considerable progress made within the Government of Canada to act upon all of the recommendations which have been made. The Members of the Committee have been gratified by the interest, dedication and responsibility which have been demonstrated by several departments, by the Ministers of these organizations, and by their staff members. In many cases, these public servants have acted well beyond the wording of the recommendations, and have provided solutions to problems which show a deep understanding for the needs of disabled persons, and a commitment to their long-term aspirations.

In particular, the Members would like to single out for praise the new policies and programs which have been initiated by the Ministers of National Health and Welfare, Communications and Housing. There have been, as well, notable efforts on the part of certain divisions of other departments. In all, at the time this report is being tabled, there has been significant progress made on 106 of the 142 recommendations which the Committee made in its two 1981 reports. The Members of the Special Committee wish to thank those individuals whose efforts were instrumental in bringing about this progress.

The Long-Term Needs Of Disabled Persons Require The Representation In Cabinet Of A Special Minister Who Has No Other Responsibilities.

While these efforts mentioned above are laudatory, the Committee has identified certain obstacles which are built into the very structure of the bureaucracy which prevent many the concerns of the disabled community from being understood and addressed. In the OBSTACLES report, the Committee specified in Recommendation 130, the last one in the report, that a Minister be designated, whose sole responsibility would be to represent the needs and the concerns of disabled persons in Cabinet, to act as a political advocate through the federal public service, and to formulate new government policies and programs on behalf of disabled persons. In retrospect, the Committee now realizes that it should have made this recommendation the first in its report, rather than the last. The experience of the past year in watching the various organizations of Government respond to the recommendations has clearly proven that the needs and concerns of the disabled persons cannot be adequately addressed by the Government of Canada without the representation of a special Minister.

The initial response to Recommendation 130 was to designate the present Secretary of State as a co-ordinator of the efforts of the entire Government to respond to the OBSTACLES recommendations. The Committee feels that this was a positive step, a necessary step, and that it has lead to increased advocacy for disabled persons within the bureaucracy. The role as co-ordinator is certainly one of the functions that the Committee sees as making up the mandate of the special Minister that it recommended.

The Minister Cannot Adequately Represent The Concerns Of Disabled Persons If His Mandate Is Only Temporary And Only One Of Many Other Responsibilities.

Having said that the initial response is useful, the Committee is unanimous in stating that this action does not go far enough, for several reasons.

The needs and concerns of disabled persons are an ongoing reality which extend far beyond the scope of those issues raised by the Committee in its OBSTACLES reports. If anything, the recommendations in those publications simply call for the bare minimum of action that is needed to enable disabled persons to help themselves in the areas of employment, housing, education, communication, and a host of other areas of everyday life in this country. OBSTACLES was intended simply to open the door of Government to the disabled community. When the Special Committee has ceased to exist, which will be shortly, and when all of its recommendations have been acted upon, the real work will have just begun. That being the case, disabled persons in this country require a senior representative at the highest levels of government to fight for their rights and progress as full participants in Canadian society.

The Committee, while fully appreciating the efforts of the Secretary of State on behalf of disabled persons, must point out that the Minister has at least a dozen other responsibilities which make equal demands upon his time and attention. The Committee is strongly convinced, therefore, that the next step is to designate a permanent Minister to advocate the needs and concerns of disabled people. This Minister of State would not have a Department, but would be attached to another portfolio as is the case for the Minister Responsible for the Status of Women. This mechanism is working very effectively at this time, and the Committee feels that the example can be extended to the special area of responsibility for disabled people. This special Minister would directly represent the disabled in Cabinet, monitor programs for disabled people in other departments, and prepare the groundwork for new legislation. In this capacity, he or she will act as a watchdog, without the need for a bureaucratic structure. The Committee sees no need for additional bureaucracy within the Government, but a much greater need for political leadership which this new Minister will provide.

The Importance Of A Special Minister Must Be Seen Within The Context Of Significant Changes Which Are Occurring Within Canadian Society Because Of Technological Changes Throughout The World.

In order to appreciate fully the importance that this special Minister will have, it is necessary to understand the pressures of Canadian society which presently prevent the participation of disabled persons in the daily activities which are taken for granted by most Canadians who are not disabled. The Committee Members wish to be on record here that they are neither impugning the motives of any representative of Government, nor questioning the competence of the public servants who are being asked to respond to the issues which concern disabled persons. The crucial obstacles which prevent the Government from responding directly, appropriately, and

continually to the needs of more than two million Canadians have nothing to do with motivation. They have to do with the systems of communication, organizations and decision-making within the Government of Canada, and within Canadian society in general.

Canada, as a society, is in the midst of a massive transformation from an industrial-based economy to a service-based economy. Each year the gross national product of the country reflects a greater portion contributed by the service sector, in relation to that made by industry, agriculture and resource development. This is true for all western industrialized nations, and in each of these nations the traditional institutions which govern the public and private sectors are under great strain to adjust to new systems of management and production. In all of these attempts to adjust, a priority has been placed upon efficiency and productivity, and the economic usefulness of many human beings has been called into question. There is a major crisis already being experienced in our society by those whose jobs have been deemed expendable in the effort to make businesses and other organizations more productive and more flexible in the face of future, unpredictable changes being caused by technological evolution throughout the world.

An Increasing Number Of Persons In Canadian Society Are Finding Themselves To Be Considered Useless In The Eyes Of Their Families, Friends And Communities.

To be considered expendable, economically, in most parts of Canadian society has the same meaning as being useless, as being without value to that society. At the present time, there are many able-bodied individuals who are experiencing this sense of being useless. The media continually features reports about the physical duress, and psychological damage, which people are experiencing who are without employment. This is true for those who are losing their jobs, and for those who have been unable to obtain even a first job. These people lose respect within their families, among their friends, and within their communities. If they must depend upon financial assistance from Government or from other sources, this only reinforces their sense of uselessness.

It is pointless to argue that people shouldn't feel that way, when all of the dominant values of worth in society tend to be economic in nature. The fact is that the economic system, in its present stages of change, is making many people economically expendable. Moreover, the predominant message is that they are neither participating in Canadian society nor making a contribution to it.

To be considered expendable, economically, in most parts of Canadian society has the same meaning as being useless, as being without value to that society.

Disabled Persons Find Themselves With Even Fewer Opportunities And Less Power In The Present Circumstances.

If the situation described above is the case for able-bodied persons, how much more it must be the case for those who are disabled. In a society where competition for economic opportunities and security is growing keener even for those who are qualified, who have mobility, and who have access to political power, then the opportunities are significantly decreased for those who lack access to training, to job markets, to transportation, to employment information, and to the decision-makers whose everyday influence determines the political, economic and social structures of Canadian society.

The Condition Of Disabled Persons In Canada Poses The Fundamental Question About The Worth Of Any Human Being And About The Future Value Of The Country.

We do not live in an ideal society, nor are the Members of the Committee in this report pointing the finger of blame at anyone as the author of the conditions described above. Even a cursory examination of world events, as reported by the media, is enough to establish that these are world-wide conditions. World society is in a massive political, economic and social transformation, and Canada as a national society is experiencing the impact of this general transformation. This is a time of changing knowledge, attitudes, skills and habits for everyone on the planet.

The single point that the Committee wants to make here is that Canada has always prided itself on its humane foundations of government. It is precisely in times of economic, political and social strain that the true humanity of a people is proved. In those times, in these present times, a country decides whether it is a nation which includes everyone, or whether it is an economically segregated society, which includes as full members only those who can pay the price of admission.

The question of the usefulness of individual human beings in Canadian society will be a central issue of legislative debate as technological change around the world exerts more pressures on the institutions of the Government. In addressing this question in this report, the Committee does not feel that it is doing any special favour to the millions of disabled persons in this country. This is a question which lies at the heart of Canada's continued viability as a nation, as it experiences further economic pressures from outside its borders.

If anything, it is the disabled in Canada who have done a favour for the rest of the population. Their very condition forces all individuals in Canadian society, and especially those who have political and economic power, to ask themselves: What is the value of Canada unless it continually expands the participation of all Canadians? What will be the future of Canada, if it does not?

It Is Not The Role Of Public Servants To Determine What Is Best For Two Million Canadians, But For Those Canadians Themselves To Decide.

Therefore, in light of this question and its implications, the Committee wants to emphasize that it is not asking for charity or special favours on behalf of the disabled community. In recommending that a special Minister be designated to represent the concerns of the disabled, the Committee does not see that it is asking for anything more than that which has already been done for other groups of Canadians—businessmen, scientists, farmers, labour unions, women, to name just a few. The question is not whether disabled persons are full members of Canadian society. They are. It is simply that the structure of the Government of Canada, at the present time, does not reflect this reality, and this must be corrected as soon as possible.

The remainder of this report consists of a progress report on actions taken by the Government of Canada in response to each of the previous recommendations made by the Special Committee. In each case, the Members have reserved for themselves the right to scrutinize and judge the Government response. The mere fact that some action has been taken does not automatically mean that it was the appropriate response. The appropriateness of a response can only be judged by its impact in public, not by the intentions of the civil servants who undertook it. At the same time, the Committee has reserved for itself the right to revise its own thinking about the original recommendations. In some cases, information which has come to the Members since the publication of *OBSTACLES* has prompted them to change their minds about the usefulness of the actions recommended. Therefore, some of the recommendations needed to be revised, and these revisions are indicated in the copy which follows.

The Members of the Special Committee see themselves, and all organizations of the Government of Canada, as public servants. In the final analysis, it is not what the Committee wants that is important, or what the Government of Canada wants. What is important are those needs and concerns which the disabled people of Canada have asked the Government to address and act upon so that they can participate more fully in the daily life of this country, now and in the future.

REPORT ON GOVERNMENT ACTION

**All of the information contained in
this report was provided by Departments,
Agencies, Crown Corporations, and
other interested government
organizations, as of June 2, 1982**

CONTENTS:

HUMAN AND CIVIL RIGHTS	11
EMPLOYMENT	29
INCOME	54
INFORMATION AND COMMUNICATIONS	67
HOUSING	82
INDEPENDENT LIVING	107
PUBLIC ACCESS	111
TRANSFORMATION	115
RECREATION	126
EDUCATION	128
AIDS AND DEVICES	130
CONSUMERISM	132
INSTITUTIONAL LIVING	134
CHANGING ATTITUDES	136
PREVENTION	140
RESEARCH AND DEVELOPMENT	141
DATA BASE DEVELOPMENT	144
NATIVE POPULATION	146
INTERNATIONAL PERSPECTIVE	154
FUNDING AND IMPLEMENTATION	157
 FOLLOW-UP RECOMMENDATIONS	 162

“It follows then, that in order to find adequate funds for the disadvantaged, the Government and Canadians should reassess their spending priorities and thereby find monies which are currently being spent on programs which are directed to those who are neither physically, mentally nor financially handicapped. Such an approach would be similar to that followed in other countries, such as Sweden, where they are more progressive than Canada in their assistance to the disabled and handicapped. Without increasing public spending, Canadians have an opportunity to meet the needs of our disabled citizens, and thus join the ranks of those countries who can be proud of the way they recognize the human potential of everyone.”

*From Introduction to OBSTACLES
February 1981*

1

AMEND THE HUMAN RIGHTS ACT TO PROTECT DISABLED PERSONS

RECOMMENDATION: That physical handicap be made a proscribed ground of discrimination for all discriminatory practices listed in the Canadian Human Rights Act, and not just for discriminatory employment practices.

That the Canadian Human Rights Act be further amended so that Tribunal orders can be made with respect to access to goods, services, facilities and accommodation, and that it include a qualification that the changes ordered by a Tribunal should not impose undue hardship on the respondent.

That mental handicaps (learning disabilities, retardation or mental illness) and a previous history of mental illness or a previous history of dependence on alcohol or other drugs be added to the proscribed grounds of discrimination under the Canadian Human Rights Act (CHRA).

COMMITTED

Every Hearing: One of the key recommendations in OBSTACLES, the need for changes to the Canadian Human Rights Act, was mentioned at every public hearing. The Committee felt that the matter

was of such urgency that it issued an interim report in October 1980 to highlight the need for these changes. This interim report also stressed the need for "full and equal protection" for persons with physical or mental handicaps in any proposed Charter of Rights and Freedoms.

Active Efforts: The Charter of Rights and Freedoms does include protection from discrimination on the basis of physical or mental disability. The inclusion of this Clause was achieved through the active efforts of the Committee members and consumer groups, particularly COPOH (Coalition of Provincial Organizations of the Handicapped).

Drugs and Alcohol: As a further extension of the principle of protection, the Canadian Human Rights Commission (CHRC), in support of this recommendation, has also decided that "previous history of dependence on alcohol or other drugs" should now be simply "dependence on alcohol or other drugs". The Public Service Commission has "major concerns" about inclusion of either mental disability or previous dependence on drugs or alcohol. But there has been strong support for both the OBSTACLES recommendation and the CHRC decision from such groups as COPOH, and the Canadian Mental Health Association.

Priority: The Committee feels that amendments to the Canadian Human Rights Act are *urgently* needed, and the Minister of Justice stated that he sees this recommendation as a priority.

Unable To Assist: Because the current provisions under the Act allow only for investigation of discrimination on the basis of physical handicap in employment matters, the Canadian Human Rights Commission has been unable to assist in a number of cases of discrimination. For example:

- A physically disabled person, in a wheelchair, was denied access to the second floor of a Federal museum because of difficulties in leaving should a fire occur.
- A physically disabled person could not enter certain Government buildings such as employment centres or post offices, because they were inaccessible.
- A person with mild schizophrenia which was totally controlled by medication was employed by a railroad. When the employer found out that the person was taking medication, and the reason for it, the employee was fired.

Demonstrated: The need for amendments to the Canadian Human Rights Act have been amply demonstrated. The Committee urges immediate action on this acknowledged priority item.

2

DIRECT HUMAN RIGHTS COMMISSION TO PROVIDE DETAILED GUIDELINES

RECOMMENDATION: (A) That The Canadian Human Rights Commission (CHRC), in consultation with appropriate consumer groups, develop and publish Guidelines to:

- Confirm and clarify their present administrative practice of hearing similar complaints simultaneously;
- Define methods of establishing "class" for beginning class action complaints to the Commission.

(B) That the Canadian Human Rights Commission should develop precise Guidelines on the scope of "undue hardship" as an exemption from the Act; these Guidelines should be published when the Committee's suggested amendment to the Canadian Human Rights Act is passed.

(A) COMMITTED



Not Necessary: The Canadian Human Rights Commission (CHRC) feels that the Act clearly enunciates the procedure followed by CHRC in group or class complaints. Therefore, CHRC feels that publication of the guidelines is not necessary. CHRC will undertake a campaign to publicize the appropriate procedures under sections 10 and 32(4) of the Act. The Committee sees that CHRC is committed to the spirit of the recommendation.

(B) NOT IMPLEMENTED

Difficult: CHRC believes that Guidelines on "undue hardship" may be difficult to formulate, but the Commission will continue to study the situation. The Department of Transport thinks the grounds for exemption should be "reasonable cause, including undue cost". The Canadian Hearing Society and the Canadian Co-ordinating Council on Deafness agree that Guidelines are important, especially for the hearing impaired. The Mayor's Task Force (Toronto) questions the need for Guidelines.

Emphasized: The Committee recognizes that final development and issuing of Guidelines must await a decision on the exact wording of the amendment to the Act. Some experience with the new legislation may also be needed. The need for continuing consultation with disabled consumer groups concerning the scope of any "undue hardship" exemption is emphasized.

Note: The Bona Fide Occupational Requirement Guidelines, brought into effect in January 1982, make the extent of this exemption for employers very clear and provide a legal standard for interpretation of that part of the Act.

3

INTRODUCE SHIFTING ONUS INTO THE HUMAN RIGHTS ACT

RECOMMENDATION: That the Canadian Human Rights Act be amended to stipulate a shifting onus of proof so that once the complainant has made out a *prima facie* (reasonably believable/reasonably sound) case of discriminatory practice, the onus of proof shifts to the respondent to prove that discriminatory practices did not occur.

WITHDRAWN

Not Necessary: The Canadian Human Rights Commission (CHRC) is of the opinion that no such amendment is necessary as a shifting onus of proof is inherent in the application of the Act. The concept is clearly spelled out in the criteria concerning physical handicap, and will be emphasized in future publications and, when appropriate, in speeches. The Justice Department feels the amendment is unnecessary since the law of evidence already recognizes the existence of this concept. The Department of Transport rejects the recommendation because the ordinary civil burden of proof is sufficient. The Public Service Commission opposes the change as it would set a precedent for their appeal procedures.

Clearer Than Before: The Committee agrees that the Administrative Criteria on "Physical Handicap and Employment" illustrate the concept of shifting onus for employers, disabled consumer groups and their advocates. The Bona Fide Occupational Requirement Guidelines embody some aspects of the shifting onus in a legal form, requiring the employers to establish certain facts in order to rely on this exemption. Recent tribunal and court proceedings have employed the shifting onus. Thus, legal principles are clearer than before.

Reasonable Responses: The Committee believes the responses to be reasonable, and therefore, has withdrawn this recommendation.

The principle of "shifting onus" means that once a complainant has made a reasonably believable and sound case of discrimination, the onus of proof immediately shifts to the respondent.

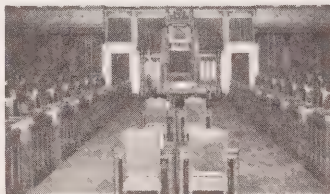
“Assuming that the courts will interpret section 15 of the Charter of Rights and Freedoms as the Committee believes it was intended, the primacy clause is not needed.”

4

INCLUDE PRIMACY CLAUSE WITHIN THE HUMAN RIGHTS ACT

RECOMMENDATION: That the Canadian Human Rights Act be amended to add a primacy clause stating that, as a matter of statutory interpretation, the Act shall be applied unless Parliament expressly exempts the legislation from the Canadian Human Rights Act.

WITHDRAWN



Eliminates Need: The Justice Department is of the opinion that section 15 of the *Canadian Charter of Rights and Freedoms* eliminates the need for such a clause. The Canadian Human Rights Commission supports the recommendation but feels that it may be unnecessary with the entrenchment of equality rights. The Department of Transport supports the recommendation, with exemptions made for all Federal legislation related to safety.

Strict Law: In strict law, the need for a primacy clause is not eliminated for the next three years (until the equality rights in the *Charter* come into effect). In practice, no amendment would be passed in the meantime. After section 15 of the *Charter* comes into effect, such a clause will no longer be relevant.

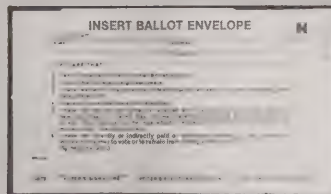
Uncertainty: This will continue to be an area of uncertainty until some definitive judgments have been made. Assuming that the courts will interpret section 15 of the *Charter of Rights and Freedoms* as the Committee believes it was intended, the primacy clause is not needed.

5

ESTABLISH POSTAL VOTE SYSTEM SIMILAR TO MANITOBA'S

RECOMMENDATION: That the Federal Government proceed in developing legislation, together with the appropriate machinery and programs, to establish a postal vote system similar to the one that is successfully in effect in Manitoba.

UNDER CONSIDERATION



No Problem: The Chief Electoral Officer, who is responsible for administration of The Canada Elections Act, say there is "no problem" from an administrative standpoint. He will draw the need for a postal vote to the attention of the Speaker of the House of Commons in his next report. He will review the implications of these proposed changes in the report, which is due at the beginning of the next Session of Parliament. This report will then be studied in detail by the Standing Committee on Privileges and Elections.

Following this Committee's report, the Government will decide whether legislation will be introduced to accommodate these recommendations.

Seriously Consider: The Government House Leader says that "the Government will seriously consider these recommendations of the Standing Committee when it plans its amendments to the Canada Elections Act".

Exercise Right: Exercising one's franchise is an important part of individual responsibility as a Canadian citizen. The Committee urges the Government to consider seriously these recommendations which will assist 10% of Canadians to exercise more easily their democratic right. The Committee also recognizes that the Government cannot act immediately because of the process for changing the Canada Elections Act, but it urges speedy examination of the report of the Chief Electoral Officer and implementation of its proposed amendments.

"Throughout its hearings, the Committee heard complaints that the voting system throughout Canada makes it difficult for many disabled Canadians to travel to polls on election day."

6

CEASE THE POLICY OF CENTRALIZING POLLING PLACES

RECOMMENDATION: That the Chief Electoral Officer be directed to immediately cease the present policy of centralizing polls and to accommodate, as fully as is reasonably possible, the mobility problems of disabled persons, including persons with disabilities due to aging.

That the Canada Elections Act be reviewed and amended to reflect the fundamental principle that elections are conducted for the convenience of all voters, including the disabled and aging; amendments should include provision for special polls at hospitals and nursing homes, the location of polls in apartment buildings, and should remove the discretionary power to centralize polls, contained in Section 33(6).

UNDER CONSIDERATION



More Flexibility: The Chief Electoral Officer, in his last report to the Speaker, recommended more flexibility in setting the maximum number of electors in a polling division. Upon questioning by the Committee, he agreed to give clearer instructions "that where an apartment building constitutes a poll in its own right, the poll should be there and people should not be expected to go any

distance". He noted that Section 33(9) makes it mandatory to set up polls in public buildings, and that apartments are not considered public buildings. He will review the implications of these proposed changes, therefore, in his report which is due at the beginning of the next Session of Parliament. (See recommendation 5 for the process of amending the Canada Elections Act).

"It is totally contradictory for the Federal Government to espouse a policy of maximum voter participation, on the one hand, and a policy of restricted access to polling places, on the other."

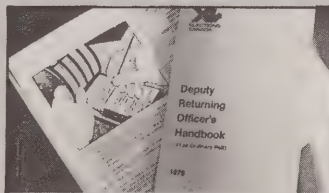
“Many of the problems that disabled voters encounter at polling places can be solved by educating the people who are responsible for these facilities. This includes the Deputy Returning Officers and their staffs.”

7

ESTABLISH ORIENTATION SESSIONS FOR POLLING PLACE PERSONNEL ON THE NEEDS OF DISABLED VOTERS

RECOMMENDATION: That the Chief Electoral Officer be directed to arrange, in consultation with disabled persons and their organizations, orientation sessions on the needs of disabled persons for Deputy Returning Officers and their staffs.

UNDER CONSIDERATION



Very Clear: The Chief Electoral Officer reported that in the manual for deputy returning officers “we intend to try to make it very clear what their responsibilities are vis-a-vis the handicapped”. He stated that he is limited by the fact that the only special provisions in the Canada Elections Act are those related to blind persons.

Written Instructions: The deaf community responded positively to this recommendation stressing that accessibility for hearing-impaired include written instructions for deaf persons “at a language level appropriate to the written language skill of deaf persons.”

Amendments: The Chief Electoral Officer will review the implications of this recommendation in his next report, which is due at the beginning of the next Session of Parliament (See recommendation 5 for the process for amending the Canada Elections Act).

“In particular, your Committee feels that consideration should be given to an amendment which would stipulate that a proxy voter need not live in the same electoral district. This recommendation is of special importance to disabled and handicapped persons.”

8

REFER QUESTIONS REGARDING ACCESSIBILITY FOR DISABLED VOTERS TO STANDING COMMITTEE

RECOMMENDATION: That the question of accessibility to polling stations, voting booths, and the offices of Returning Officers and Deputy Returning Officers be referred to the Standing Committee on Privileges and Elections.

UNDER CONSIDERATION

Prohibit: The Chief Electoral Officer intends to make recommendations to the Speaker of the House of Commons on changes to the Canada Elections Act to facilitate voting by disabled persons, particularly to prohibit the use of private homes as returning offices, since these facilities are usually inaccessible to disabled persons.

Bill C-237: The Standing Committee on Privileges and Elections considered voting facilities for the handicapped when it studied the subject matter of Bill C-237 in 1981. In its report on June 30, 1981, the Committee made the following recommendation:

“... that the Government consider extending proxy voting privileges to accommodate more of those who are not able to vote on election day. In particular, your Committee feels that consideration should be given to an amendment which would stipulate that a proxy voter need not live in the same electoral district. This recommendation is of special importance to disabled and handicapped persons. In addition, it is recommended that the Government consider that the validating of proxy certificates be provided at more convenient locations for longer periods of time in large rural constituencies. Your Committee also recommends that the Government consider eliminating the requirement of a registrant's statement for students or doctor's certificate for all persons who are ill.”

9

AMEND ELECTIONS ACT TO REDUCE DISQUALIFICATIONS BECAUSE OF "MENTAL DISEASE"

RECOMMENDATION: That the Federal Government amend the Canada Elections Act to reduce the number of people disqualified from voting by reason of "mental disease", by providing clear criteria for determining the specific cases where exclusion from the democratic process is absolutely justified.

UNDER CONSIDERATION

Beyond Mandate: The Chief Electoral Officer said that he cannot make such a recommendation because it is beyond his mandate, but he will point it out to the Speaker of the House of Commons. He added that this is "the most difficult recommendation to implement".

Reassessed: The Canadian Mental Health Association feels that this disqualification should be reassessed, and specifically recommends:

- Hospitalization of any nature for psychiatric treatment or custodial care should not *per se* disqualify an individual from exercising his or her franchise.

- A decision, order or judgement having the effect of placing the estate of an individual under the control of a guardian, trustee, or committee, should not *per se* disqualify that individual from exercising his or her franchise.
- The existence of a mental disorder should not preclude an individual from voting if he is otherwise qualified and can satisfy the election officials of the same by compliance with any formal procedures that, by law, may be required.

Amendment: See recommendation 5 for a description of the process to amend the Canada Elections Act.

"The right to vote is basic to the democratic fabric of Canada. The onus should be placed on showing why someone should not be allowed to exercise the right."

“Federal statutes—such as the Criminal Code, the Land Titles Act, and the National Defence Act—presently employ the terms “idiot”, “imbecile”, “lunatic” and “feeble-minded” to describe various types of mental disability.”

10

DEVELOP APPROPRIATE LEGAL TERMS RELATED TO MENTAL DISABILITY

RECOMMENDATION: That the Federal Government direct the Department of Justice to consult with medical authorities to develop appropriate legal terminology relating to mental disability for use in legislation.

COMMITTED



Pejorative Terms: The Minister has stated that the Department of Justice is committed to removing pejorative terms and expressions relating to mentally disabled persons, from Federal legislation. The Department will study the situation and will consult with organizations representing the interests of mentally disabled persons.

Appropriate Steps: After study and consultation, the Minister has agreed to take the appropriate steps to ensure that the necessary amendments are considered under a miscellaneous statute law amendment act. A preliminary search of the legislation using such terminology as “imbecile”, “idiot” or “feeble-minded” indicates that 47 statutes require revision.

Archaic: The Canadian Mental Health Association strongly believes that some of the archaic terminology still in use should be replaced. It strongly supports the principle of consultation in the process of changing the terminology.

Determination: The Committee applauds the Minister of Justice on his initiative to locate such offensive terminology and his determination to remove such terms from Federal statutes.

11

CHANGE THE CRIMINAL CODE PROVISIONS ON
"INSANITY" AND "FITNESS TO STAND TRIAL"

RECOMMENDATION: That the Federal Government, through the Department of Justice, and in consultation with provincial health authorities, reform the Criminal Code provisions relating to mentally disabled persons, in order to:

- Develop and implement a new procedure to replace the Lieutenant-Governor's Warrant, and provide special facilities and treatment of the mentally disabled who are sentenced by the courts;
- Define the rights before the law of mentally retarded and mentally ill persons;
- Establish fair and appropriate procedures for all stages of the criminal process when mentally disabled accused are involved; that is, arrest, bail, fitness to stand trial, the finding of criminal responsibility, and disposition.

UNDER
CONSIDERATION

Long Periods: Recently there has been considerable publicity about cases where mentally disabled persons have been declared "unfit to stand trial" and have been held for long periods of time under lieutenant-governor's warrant. The celebrated case of Emerson Bonnar is an example:

"Bonnar was 19 in 1964 when he was involved in an alleged purse-snatching incident. Judged unfit to stand trial because he was mentally retarded, he was sent to a mental hospital under a legal mechanism called a lieutenant-governor's warrant. Such warrants have no set duration and last "at the pleasure of the lieutenant-governor".

In Bonnar's case, it was last spring (1980) before public attention led to a new "loosened" warrant and more rehabilitative treatment. And then, in the fall, the board that periodically reviews such cases recommended lifting the warrant entirely, setting the stage for Robichaud's dramatic stroke of the pen last week.

New Brunswick Lieutenant-Governor Hedard Robichaud signed an order lifting the warrant under which Bonnar had been held and so set in motion a process that should eventually see the 35-year-old

man returned permanently to Fredericton from the hospital in Campbellton, N.B."

MacLean's, January 19, 1981

Project: Concerns about "insanity" and "fitness to stand trial" are being addressed in the mental disorder project begun in 1977 by the Department of Justice. The Department plans to prepare a discussion paper on this subject to be released this year.

Disquieting: The Canadian Mental Health Association has stated that the existing law and practice on the issue of "fitness to stand trial" is disquieting and has advocated several amendments outlined in its publication *The Law and Mental Disorder*. The Canadian Co-ordinating Council on Deafness feels this is of "critical" importance because of cases where deaf persons have been declared unfit to stand trial by psychiatrists with no experience in deafness or the means to communicate with deaf persons.

Necessary Steps: The Committee urges the Department to complete the discussion paper as quickly as possible, and upon completion to take the necessary steps to initiate legislative changes.

12

REVIEW THE OPERATION OF LIEUTENANT-GOVERNOR'S WARRANTS: THE INDEFINITE DETENTION OF MENTALLY DISABLED PERSONS

RECOMMENDATION: That, pending the replacement of the present legal system of Lieutenant-Governor's Warrants, the Federal Government request the Minister of Justice to meet with provincial authorities in order to review the operation of the warrants, with particular reference to:

- The functioning of review boards, particularly where cases of mentally retarded persons are being considered;
- The individual cases of persons presently being held in indefinite detention under Lieutenant-Governor's Warrants.

COMMITTED



Attention: The case of Emerson Bonnar described in recommendation 11 aptly describes why this recommendation is of such importance. The Department of Justice shares these concerns and has given considerable attention to this subject in the mental disorder project of the Department that commenced in 1977. The Department has had extensive consultation on the

subject and plans to release a discussion paper this year.

Varies: The Canadian Mental Health Association found that detention review and release of persons held under these warrants varies from jurisdiction to jurisdiction. It recommends changes to existing practices as outlined in its report, *The Law and Mental Disorder*. The Canadian Co-ordinating Council on Deafness is particularly concerned because a number of deaf persons (in British Columbia and Newfoundland) have been held under these warrants.

Badly Neglected: The Committee is pleased that the Department of Justice is focusing on this badly neglected area and urges the Department to work quickly to resolve the problems identified in the discussion paper.

“Under the Lieutenant-Governor's Warrants, the particular provincial government is under no obligation to provide any form of treatment to the detained person.”

“The only way that the Federal Government can promote uniform and fair treatment for Canadians with emotional/mental disabilities is by encouraging the provinces to review their legislation at regular intervals.”

13

ENCOURAGE PROVINCES TO KEEP MENTAL HEALTH ACTS UP TO DATE

RECOMMENDATION: That the Federal Government encourage the provinces to review their mental health acts at regular intervals with input from the public in order to reflect current thinking regarding rights of and treatment for mentally/emotionally disabled persons.

IMPLEMENTED



Ongoing Review: The Department of National Health and Welfare will participate in an ongoing review of provincial mental health legislation. The standing semi-annual meeting of provincial mental health directors will be used as a vehicle to undertake this commitment. The Provinces have all agreed to supply relevant information.

All Provinces: In April 1981, the Department of National Health and Welfare, with special co-operation from Alberta, published *Abstracts From Provincial Mental Health Legislation*. This document incorporates information from all the Provinces, some of which are currently reviewing and amending existing legislation.

Continued Focus: The Special Committee commends all parties for their attention to the issue of rights and treatment for mentally and emotionally disabled persons. The Committee emphasizes the need to focus continued attention on provincial mental health legislation in an effort to incorporate national views on rights and treatment of individuals.

14

ENCOURAGE PROVINCES TO INCLUDE EDUCATION AS A BASIC HUMAN RIGHT

RECOMMENDATION: That the Federal Government encourage all provinces to include in their human rights legislation the right to an education that ensures disabled children the opportunity to reach and exercise their full potential.

IMPLEMENTED



Future Discussion: The Department of the Secretary of State brought this recommendation to the attention

of members of the Continuing Federal-Provincial Committee of officials responsible for Human Rights at its November 19, 1981 meeting. The Provinces are reviewing the issue for future discussion. This recommendation will also be brought to the attention of the Council of Ministers of Education. The Government of Ontario passed Bill 82, which ensures every exceptional child will receive education appropriate to his or her needs. This legislation is part of the Education Act, and is not human rights legislation.

“Canadians no longer see the education of children as a privilege to be reserved only for those who can afford it. It is universally agreed that education is a basic right to which all Canadians are entitled, including disabled children.”

15

IMPROVE ACCESS TO LEGAL SYSTEM
FOR DISABLED PERSONS

RECOMMENDATION: That the Federal Government, through the Department of Justice, in consultation with disabled consumer groups and provincial governments, develop plans and take effective steps to improve disabled persons' access to the legal system.

UNDER
CONSIDERATION

\$28,000 Funding: In 1981, the Department of Justice provided funds (\$28,000) to the Advocacy Resource Centre for the Handicapped in Toronto to host a National Conference on Legal Services for the Handicapped.

Undertaking: The Department of Justice is currently seeking funding to undertake the following:

- **Material:** The development of materials advising disabled persons on how to use the law in order to deal with disability-related access problems.
- **Demonstration:** The development of demonstration projects to improve the delivery of legal services to disabled persons and to heighten the sensitivity of the legal community to the needs of disabled persons.
- **Advice:** The provision of advice to other departments and agencies which exercise a

judicial or quasi-judicial function on access to their services.

Particular Support: The recommendation received particular support from the deaf community which, in the past, has experienced considerable difficulty in dealing with legal services.

Immense Difficulties: During the regional hearings, the Committee heard a story about the immense difficulties encountered by one person when he came into contact with the legal system, including being held overnight in jail because no one was able to communicate with him. The Committee applauds the Minister of Justice for funding such a worthwhile conference as the National Conference on Legal Services. The Committee is also pleased to see that the Minister considers this recommendation of such importance that he is seeking funding to carry out activities in this area.

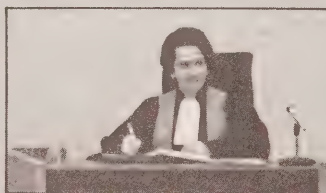
“It is difficult, if not impossible, for many disabled persons to pursue justifiable actions under the Canadian Human Rights Act, because they have no money to pay for legal assistance.”

16

MAKE HUMAN RIGHTS COMPLAINTS AND COURT ACTIONS ELIGIBLE FOR LEGAL AID

RECOMMENDATION: That the existing federal-provincial cost-sharing agreements for legal aid be expanded to include legitimate proceedings related to the Canadian Human Rights Act, brought before federal tribunals and courts.

UNDER CONSIDERATION



Aid Is Needed: The Canadian Human Rights Commission (CHRC) takes responsibility for the carriage of cases before human rights tribunals, and some court cases, and it will further publicize this fact. CHRC notes there are cases where legal aid is needed.

Under Advisement: The Justice Department will take the recommendation under advisement in its consideration of the general question of civil legal aid funding in areas of Federal concern. The situation regarding legal aid is unchanged, that is, many cases are covered by the Canadian Human Rights Commission taking carriage of the case, and, therefore, there are no legal costs. In cases before other tribunals, however, or where a complainant disagrees with the Commission, legal aid may or may not be available and the Department of Justice has taken this issue “under advisement”. There appears to be some danger of the interests of disabled consumers and groups being forgotten in such a broad study, and thus, continued lobbying is needed on this issue.

17

PROVIDE MINIMUM WAGE GUARANTEE FOR DISABLED PERSONS EMPLOYED UNDER FEDERAL JURISDICTION

RECOMMENDATION: That the Federal Government phase in a system whereby disabled persons, employed in sheltered work settings or elsewhere, under federal jurisdiction, will be entitled to receive at least minimum wage under the Canada Labour Code.

That the provinces be encouraged to introduce similar measures, following the lead of Quebec.

That in all cases there be close coordination to ensure appropriate placement of persons either in sheltered work settings, or in adult activity centres (which are not subject to minimum wage requirements).

COMMITTED



Little Used: The Minister of Labour has indicated that he will be tabling amendments to the Canada Labour Code in the next Session of Parliament. Included in those amendments is the repeal of Sections 37(1) and (2). These sections are a little used part of the Code. In the period of 1965 to 1975 there have been only three requests for permits to pay below the minimum wage.

Dumping People: The Canadian Association for the Mentally Retarded supports this recommendation but is concerned about the possibility of "dumping people into adult activity centres" because the funds are there. The Canadian Council of Rehabilitation Workshops, however, stressed the need to recognize a continuum of sheltered work settings, not just two types.

Provinces Also: The Committee is pleased that the Minister of Labour has announced his intention to implement this recommendation. The Committee continues to encourage the Provinces to do likewise.

"The possibility of paying lower wages can be an open invitation to exploitation or a cover for bad employment practices. It is discriminatory; disabled persons in such circumstances have the same right to protection under the Canada Labour Code as non-disabled persons."

“Adult occupational activity centres’ are designed to provide stimulation and occupational therapy for individuals who are incapable of gainful employment. There have been serious complaints in testimony presented to the Committee that some centres are not providing quality services to disabled persons.”

18

MONITOR ADULT OCCUPATIONAL CENTRES

RECOMMENDATION: That, as a condition of cost-sharing under the Canada Assistance Plan, the Federal Government require each province, where it has not already done so, to establish a review mechanism for Adult Occupational Activity Centres which provide daytime activities, not subject to a minimum wage requirement, for those individuals who cannot function in a sheltered work setting.

NOT IMPLEMENTED



No Power: Under current legislation, the Department of National Health and Welfare cannot impose the review mechanism on the provinces as a condition of cost-sharing with them. The Department replied to this recommendation by saying “if useful, Health and Welfare will host a national meeting on Adult Occupational Centre standards and procedures, with both the provinces and

non-governmental sector in attendance”.

No Plans: The Special Committee questioned the representatives of the Department about the date of such a conference and learned that no specific plans had been made to undertake it. The Committee welcomes the offer made by the Minister on March 19, 1982 to host such a meeting, and reaffirms its support for such a gathering as a first step in the eventual implementation of this recommendation.

In the Federal-Provincial discussions on future legislation to replace the Canada Assistance Plan, the Committee strongly urges the Federal Government to push for the inclusion of a review mechanism for Adult Occupational Activity Centres as a condition of Federal funding.

19

EXPAND AFFIRMATIVE ACTION EMPLOYMENT PROGRAMS FOR DISABLED PERSONS IN THE FEDERAL GOVERNMENT

RECOMMENDATION: That the Federal Government require all Departments, Agencies and Crown Corporations to expand or implement Affirmative Action Employment Programs to include:

- Special orientation, recruiting, training and job advancement plans for disabled persons;
- A timetable for implementation;
- Ongoing review and updating of the Programs;
- Regular reporting to an Affirmative Action Compliance Board charged with the initial approval of the Programs;
- Annual public reports.

NOT IMPLEMENTED

Formal Policy: In March 1981, Treasury Board issued a formal policy relating to the increased participation of physically handicapped and mentally handicapped (mental retarded only) persons in the public service. This policy covers a variety of measures, including the designation of a person to oversee activities, the purchase of technical aids, and accessibility to buildings.

Limited Progress: The progress, following the issue of this policy, has been limited, largely because of the Government's desire to wait until pilot projects have been completed in August 1983, and an assessment has been made of appropriate procedures. Three departments are currently in this three-year pilot project, and the response, so far, has been favourable.

More Aware: The Minister of Employment and Immigration feels that "we are making substantial progress" within the pilot project. The President of Treasury Board said that current programs have made managers and target groups "more aware of the increased participation of the persons helped, in the Public Service". The Minister of Supply and Services said, "I heartily support" this project.

Not Needed: On the other hand, the Public Service Commission has stated that the intent of the recommendation can be implemented within the existing framework of legislation and affirmative action programs are not needed. Generally speaking, the Government response to this recommendation has been guarded, as can be seen in the following statement, "disabled persons in the Federal Government will be included in any public service-wide program if results from the initial project are conclusive".

Little Commitment: The Special Committee feels that the decision to issue a policy statement is laudable and that the pilot project will probably iron out difficulties in administering this program. But these actions in themselves do not indicate any real commitment on the part of the Government to expand affirmative action.

The Committee, therefore, reiterates its original recommendation and requests that commitment on the part of the Government to move forward now take place, even while the pilot projects are being conducted. Within this commitment, there should also be provision for expanded inclusion of persons with mental disability (mental illness), where this condition is stabilized through medication.

“Each manager’s efforts toward the success of the program must become part of the criteria by which his or her overall job performance is regularly evaluated.”

20

INCLUDE AFFIRMATIVE ACTION PROGRESS CRITERION FOR EVALUATING GOVERNMENT MANAGERS

RECOMMENDATION: That progress in the implementation of the Affirmative Action Programs be made part of the criteria of ongoing evaluation of senior management, including deputy heads, in all Departments, Agencies and Crown Corporations of the Federal Government.

NOT IMPLEMENTED

Not Completed: This recommendation is related to number 19. The Treasury Board statement of March 1981 includes a section on accountability of management to show progress in implementing affirmative action programs. A review of actions of this policy will commence with 1981-82 activities, and reports are not yet completed.

Integral Part: The President of Treasury Board, in response to this recommendation, has stated that “accountability is a key feature of our program”. However, progress in other departments has not yet been evaluated, even though early

indications are that the results will be positive. The Public Service Commission feels that the application of human resource policies is an integral part of managerial evaluation, and that disabled employment programs should not be isolated from the global evaluation of human resource utilization.

Decision Needed: The Committee feels that while these actions and statements indicate a willingness on the Government’s part to consider the recommendation, they do not constitute a clear decision to implement it. Again, the Committee has been told that no decision will be made until after the completion of the pilot project (#19) in August 1983. The Committee reiterates its support for a quick implementation of this recommendation.

21

BROADEN DEFINITION OF "HANDICAP" IN
SPECIAL HIRING PRACTICES

RECOMMENDATION: That the Federal Government, in its special hiring practices for the disabled, broaden the definition of "handicap" to include persons who have had a mental disability, or who have a learning disability.

That the Federal Government either broaden the mandate of an existing organization—the Advisory Committee to the President of the Treasury Board on the Employment of the Handicapped—to include representation of persons with mental disabilities, or create a new advisory committee to advise the Federal Government about the needs of persons with mental disabilities.

(A) NOT
IMPLEMENTED

Pilot Project: As a result of the meeting on June 11, 1981, the Public Service Commission (PSC) has planned, in consultation with organizations representing the mentally ill, a pilot project "which would provide co-ordinator services to psychiatrically disabled persons seeking employment in the Public Service in the National Capital Region". The terms of reference were drawn up for this project and discussed at a meeting on November 23, 1981, with implementation planned for early 1982.

Not Quickly: PSC has not moved quickly on this pilot project, and the Committee is concerned about the level of commitment to this project. For example, PSC initially wanted the co-ordinator to work on a volunteer basis, in representing the coalition of community agencies. The lack of clear progress indicates to the Committee that PSC and senior civil servants responsible for personnel matters are having great difficulties in coming to grips with this situation.

Fear: The major impediment appears to be the fear on the part of managers that they will be obliged to hire people with a variety of mental or psychiatric disabilities who might pose the

threat of disruptive behaviour and/or related loss of productivity in the workplace.

Special Practices: The Committee, on the basis of presentations by the Causeway Coalition, the Canadian Mental Health Association and other interested groups, believes that it is possible to identify and support through special hiring practices a significant number of psychiatrically disabled persons who are "job-ready" and who can be accommodated relatively easily in the workplace. Examples of "job ready" would be the following:

- A person who, due to psychiatric illness, was unable to return to the job market at his present level of functioning as a librarian, but could go on to a less stressful clerical support function in the library.
- A community development worker who was hospitalized due to a manic-depressive illness, but has been able to return to his job and cope extremely well through the use of appropriate medication which controls his illness.
- A receptionist with a national voluntary agency who has a chronic schizophrenic illness, but was able, through the use of appropriate medication and with supportive counselling in vocational rehabilitation programs to complete a training assignment with the

agency and win a full-time job there at which she continues to do well.

Visit: The Committee recommends that the representatives of PSC and senior civil servants responsible for implementation of the pilot project, in order to further their understanding of the situation of psychiatrically disabled individuals and their potential for employment, visit the Causeway Work Centre. This Centre is a vocational rehabilitation facility for the psychiatrically disabled, operated under a Board of Directors which is chaired by a former Deputy Minister of Industry, Trade and Commerce. The Chairman of the Special Committee found such a visit to be an enlightening experience.

Despite Difficulties: The Committee is convinced that, despite the perceived difficulties, that workable definitions can be found for accommodating these disabled individuals in the workplace and urges all parties involved in the pilot project to proceed quickly so that special hiring practices can be implemented within the Federal Government.

(B) NOT IMPLEMENTED

No Action: Despite the acknowledged importance of and the need for a special advisory committee on employment of psychiatrically disabled persons, no action has been taken to establish such a group. It should be noted again that the present Advisory Committee to the

President of the Treasury Board does include representation of the mentally retarded.

Remove Barriers: The present advisory body notwithstanding, another committee is needed not only to advise the Federal Government about the needs of persons with psychiatric disabilities, but also to identify and remove both attitudinal barriers and systemic barriers, whether explicit or implicit, in the personnel programs and policies of PSC and Treasury Board.

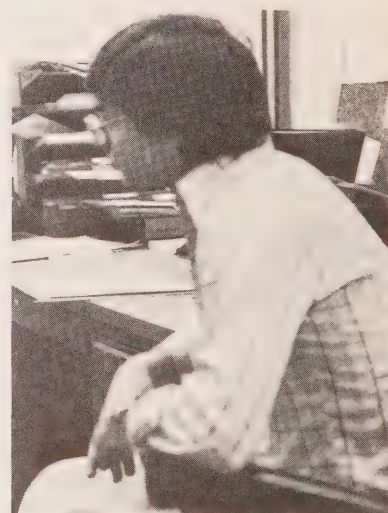
No Organization: The Committee recognizes that no national organization or network of organizations of psychiatrically disabled persons exists and that this may also pose a problem in establishing a special advisory committee.

Department of Transport: However, the Committee is also aware that one Federal Government department, Transport, has been able to involve representatives of and for the psychiatrically disabled on one of its advisory committees and that Causeway Coalition, mentioned above, has been organized specifically as a result of the OBSTACLES report, to respond to initiatives regarding employment of the psychiatrically disabled. The Coalition could serve as the nucleus for development of an appropriate special advisory committee.

No Consensus: While the need for representation of this group has been acknowledged, there is no consensus on the structure. The present Treasury Board Advisory Committee favours a separate advisory committee on employment of mentally handicapped persons so that the

current one would not become too cumbersome. A separate committee is also favoured by the Canadian Mental Health Association "because we have a set of problems that are somewhat different to the stage of problems that other handicapped people are at". However, the Canadian Association for the Mentally Retarded favours expansion of the existing committee to include representation of persons with mental disabilities. The Association is concerned about the competition for scarce resources if there are two committees.

Expedite: The Committee reiterates its support for a structure to represent the needs of the mentally and psychiatrically disabled and urges Treasury Board and PSC to involve available resources such as those named above to expedite the formation of such a committee.



22

SUPPORT AFFIRMATIVE ACTION PROGRAMS BY PROVIDING TECHNICAL AIDS AND EXPERTISE

RECOMMENDATION: That, in addition to making the work-place accessible, the Federal Government undertake specific measures to support the development and implementation of Affirmative Action Programs in the public sector which would include:

- The establishment of a small bank of basic aids and devices for use by Departments, Agencies and Crown Corporations. This bank should be developed in consultation with disabled persons and their organizations.
- The provision of technical and professional assistance in the development of Affirmative Action Programs.
- The provision of intervenor or attendant services when necessary.

IMPLEMENTED

No Other Access: The President of Treasury Board told the Special Committee that 39 departments, agencies and crown corporations have agreed to provide technical aids to handicapped employees and successful job applicants who require these aids for work, and who have no other access to such aids.

Budgets And Supplies: Most departments are able to pay for these aids out of existing budgets, but smaller departments and agencies can make submissions to Treasury Board for additional funds. The Public Service Commission supplies information to departments regarding sources of information on technical aids,

and resource manuals. The Department of Supply and Services is ensuring that an adequate supply mechanism is in place to meet the potential demand from the departments.

Interpreter: There has been support for this recommendation by various associations representing disabled persons. The Canadian Co-ordinating Council on Deafness and the Canadian Hearing Society particularly mentioned the need to include "interpreter" services as a technical aid. Treasury Board, in response, reported in a survey of 1980 activities in departments that the provision of technical aids for disabled persons includes both intervenors and interpreters in the category of "technical aids".

"In some cases, the implementation of an Affirmative Action Program would be of no benefit to a disabled person unless he or she is provided with technical aids, or attendant care."

23

EXPAND HOME EMPLOYMENT FOR DISABLED PERSONS

RECOMMENDATION: (A) That the Federal Government expand to other Departments, Agencies and Crown Corporations the current home employment program operated by the Department of Supply and Services, which provides work at home to disabled persons unable to come to the workplace.

(B) That any individual so employed for 20 hours or more per week be entitled to the same status and benefits available to an employee who works 20 hours or more in the work place.

(A) IMPLEMENTED

HOPE Program: During the past three years, five government departments have had home employment projects. The Department of Supply and Services announced the creation of an additional HOPE program, which stands for Home Opportunities for Productive Employment. This program started in the department's Transportation and Energy Products Centre and initially involved four employees. It is being revised at this time to afford improved part-time employment.

Proof Readers: The Canadian General Standards Board plans to employ home-bound disabled persons as proof readers in the production of standards. The Department of the Secretary of State has conducted a feasibility study on the use of translators at home, and the Department will provide financial aid to disabled persons to become translators. Agriculture Canada has home employment programs in its Biological Identification and Cataloguing Project.

The Committee compliments the Department of Supply and Services for its initiative in the area of home employment, and the other departments which have followed its lead. The Committee also encourages more progress in this area on the part of all departments.

(B) NOT IMPLEMENTED

New Policy: At a hearing in May 1981, the President of Treasury Board said that a new policy on part-time employment has been designed to provide benefits for part-time employees in proportion to their hours worked. The intention of Treasury Board is to propose an amendment to the Public Service Superannuation Act so that part-time employees will be eligible for a pension. This amendment will be introduced in new legislation on pensions.



Contract Basis: Most homebound workers, however, are employed on a contract basis, and are not subject to policies which cover part-time employment. Treasury Board has indicated that its new legislation is not intended to cover contract workers in the home. The implementation of this recommendation, therefore, would require acknowledgement that homebound workers are "part-time" employees, not contract employees.

Willingness: The Minister of Supply and Services has expressed a willingness to look into contracts for homebound workers to see if they could be deemed to be employees. The Committee feels that whatever actions are necessary to provide homebound workers with benefits should now be taken. Home employment is important for a small number of disabled persons who are unable to travel to the workplace. There should be no more delays in providing them with the same benefit status as employees in the workplace.

24

AMEND EMPLOYMENT ACT TO PROTECT FEDERAL EMPLOYEES WHO BECOME DISABLED

UNDER CONSIDERATION



Single Rate: A complete review of the pension policy in respect to leave without pay is underway within the Treasury Board Secretariat. At the present time, under the regulations of the Public Service Superannuation Act, a person who is absent because of disability or illness would contribute only the employee's share of pension contributions, what is called "single rate", the remaining amount of the contributions required is paid by the employer. Payment can be made in a lump sum or in installments.

Other options are being studied as part of the pension review. This will lead to changes in the Public Service Superannuation Act.

Alter Regulations: The Public Service Commission supports the aim of the recommendation but feels that legislative change is not the most effective route. The Commission prefers to alter regulations relating to leaves of absence in the Terms and

Conditions of Employment Regulations. This "can resolve situations more quickly, produce concrete results much more quickly and much more effectively" through regulation rather than legislation.

Existing Policy: Treasury Board and the Public Service Commission feel that the intent of the recommendation is being carried out through the existing policy that requires the appointment of a person in each department or agency to assist persons who become disabled and who cannot return to their previous jobs to obtain new jobs.

Protection: The Committee is convinced that public servants who become disabled should have legislative protection. The Committee commends Treasury Board for reviewing the pension policy and urges the early completion of this review so that appropriate legislative changes can be introduced. It urges Treasury Board and the Public Service Commission to make renewed efforts to assist public servants who become disabled to find meaningful employment quickly within the public service.

25

**REQUIRE EMPLOYERS UNDER FEDERAL JURISDICTION
TO HIRE DISABLED PERSONS**

RECOMMENDATION: That every employer under federal jurisdiction (as defined under the Canada Labour Code) having 100 or more employees be required to undertake an Affirmative Action Program to facilitate the hiring and promotion of qualified disabled persons.

**NOT
IMPLEMENTED**

Contract Compliance: There has been no action by the Government on this recommendation. Basically, it is a variation of contract compliance which is discussed more fully under recommendation 26.



26

NO FEDERAL CONTRACTS FOR PRIVATE FIRMS UNLESS DISABLED PERSONS ARE HIRED

RECOMMENDATION: That the Federal Government establish a policy of contract compliance which will require that government contracts

- With firms employing 100 persons or more; and
- Where the value of the contract is \$20,000 (indexed to Consumer Price Index) or more,

must contain a clause in which the contractor agrees to adopt and implement an Affirmative Action Program for disabled persons.

NOT IMPLEMENTED

Responses: There has been no action by the Government to implement this recommendation. The Committee received a variety of responses from Government departments and other organizations:

Minister of Employment and Immigration: "Your proposal for contract compliance and basically tougher and more effective rules and regulations on affirmative action are ones that I personally support... We can demonstrate pretty well that the kind of affirmative action methods we are now employing are not particularly onerous for the private sector to accept and in fact may result in enhanced productivity".

Minister of Supply and Services: The Minister wants to encourage voluntary affirmative action programs in the same way that the Canadianization program has been undertaken. This program "is not achieved through contractual undertakings, but through persuasion and effective communication in the marketplace". The Minister feels that the cumulative effect of impositions in the procurement process will "create some very negative reaction in the marketplace". He feels, also, that it would interfere with the

Canadianization program because it would be easier for multinational firms to comply. There would be fewer bids from Canadian firms.

The Department of Transport: The Department supports the recommendation in principle, but is not sure how it can be enforced.

Canadian Council on Social Development: "We believe that a system of contract compliance is the most expeditious, efficient way of permanently removing employment obstacles that confront the disabled".

Ontario Ministry of Transport: U.S. experience suggests that there are negative repercussions.

IBM: The corporation views the recommendation negatively because affirmative action has no direct relationship to the rest of the business transaction. Contract compliance represents a significant burden and increased costs. IBM prefers "reasonable accommodation".

Canadian Manufacturers Association: The Association has concerns about the practicality and effectiveness of such a program, for the following reasons:

1. There is uncertainty as to what constitutes affirmative action.
2. There are costs to the firm if the contract is withdrawn because of a failure to comply.

3. It complicates the selection process. There is less flexibility in selecting a successful bidder.
4. Other groups will also demand contract compliance.
5. The costs of modifying facilities will be so high that such companies may not bid on Federal contracts.
6. Employers may already have modified employment for employees who become disabled. The contract compliance program may not take this into account.

Coalition of Provincial Organizations of the Handicapped:

"Contract compliance . . . would enable the Government of Canada to effectively influence the hiring practices of the private sector, and thus, reduce the impact of blatant and systemic discrimination against the disabled job-seekers. Such a policy has been used in the United States and in many West European countries and has proven to be reasonably effective."

Leverage: In preparing OBSTACLES, the Committee believed that the Federal Government should use whatever leverage it could to increase employment in the private sector. As a large percentage of these private sector businesses fall under provincial jurisdiction, the Committee considered and rejected the quota system, as experience in countries with such systems has shown that employers will simply hire the least-disabled person in order to comply. It has also shown that employers will place disabled persons in entry-level or dead-end jobs and

that some employers will simply pay the fines and make no effort to hire disabled persons.

American Route: The Committee then looked at the American law, namely sections 503 and 504 of the Rehabilitation Act of 1973 passed under the Nixon administration after having been twice vetoed by the President. Under this law, any contractor doing business with the Federal Government in excess of \$25,000 annually must have an affirmative action program for the handicapped. American businessmen have argued that the low figure results in too much red tape and paperwork.

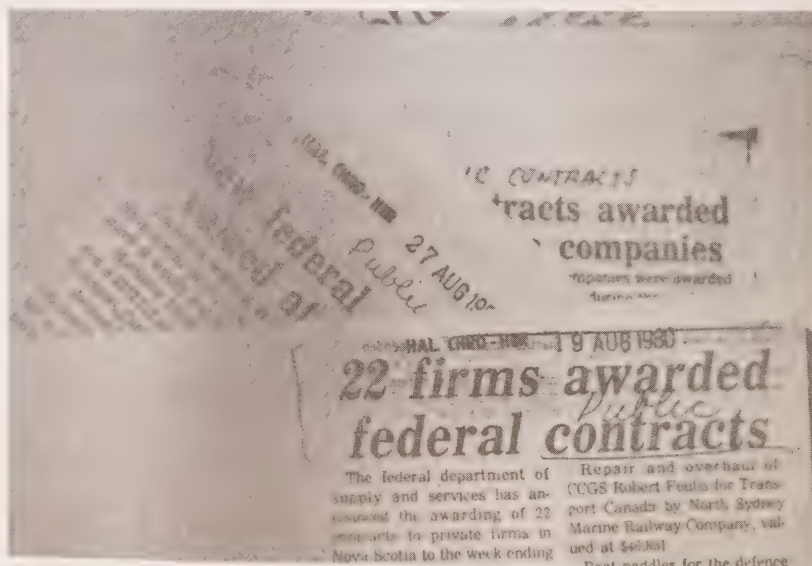
Furthermore, press stories about small contractors with a handful of employees who have experienced difficulties in complying have fueled negative feelings.

Assess Resources: The Committee realized there were some shortcomings in the U.S. system and, accordingly, the Committee recommended use of contract compliance only with

firms employing 100 or more persons where the value of the contract was \$20,000 (indexed to CPI). While the American law is not a perfect solution, it has resulted in increased employment for disabled persons.

Furthermore, a number of federal contractors in the U.S. recognized that the contract compliance program had forced them to assess their human resource systems—and the results in new efficiencies were frequently dramatic. Costs were reduced, there was greater movement, and minority employees became more competitive and productive since they were given access to jobs previously barred to them.

Understands: The Committee reiterates its support for recommendation 26. It understands the objections to contract compliance. If the Government would like to suggest alternative ways to encourage employment, these would be welcome. Until then, the Committee reaffirms its support for contract compliance.



27

GIVE AFFIRMATIVE ACTION BOARD POWER NEEDED TO MAKE PROGRAM EFFECTIVE

RECOMMENDATION: That the Federal Government establish an Affirmative Action Compliance Board, or designate an existing agency, to exercise authority in the following areas:

Federal Affirmative Action:

- Develop guidelines and procedures for implementing and enforcing the affirmative action programs described in Recommendations 19 and 25.
- Provide consultation and technical assistance to employers carrying out these plans.
- Approve plans and monitor implementation.
- Report discriminatory practices to the Canadian Human Rights Commission.

Contractors Affirmative Action:

- Develop guidelines for contract compliance, and provide for exemptions where necessary, as described in Recommendation 26.
- Provide consultation and technical assistance as required.
- Receive and investigate complaints, and refer them for action to the agency of government involved in the contract, or the appropriate human rights agency.

NOT IMPLEMENTED



Monitoring Mechanism: The concept of contract compliance, as outlined in recommendation 26 has not been accepted by the Government. Therefore, this recommendation describing a mechanism to monitor compliance has not been implemented either. The Government response in December 1981 said that the Compliance Board was seen as "inopportune, difficult and costly to implement, if at all feasible".

No Review: The Committee disagrees with this assessment and feels that the Government has misunderstood the recommendation. The Board's purpose is not to review all contracts, but to deal with complaints. Contract compliance, if implemented as suggested in recommendation 26, would exist because of a standard clause written into each contract. No review would be necessary.

Technical Assistance: This recommendation also referred to the provision of technical assistance to Federal departments, agencies and Crown corporations, and to private contractors, about affirmative action programs. The affirmative action office at Canada Employment and Immigration has been fulfilling this function. The critical aspects of this recommendation were the approval of affirmative action plans and the monitoring of their implementation. These actions have not been carried out.

28

USE SECTION 19 OF THE CANADIAN HUMAN RIGHTS ACT
TO PREVENT DISCRIMINATORY PRACTICES

RECOMMENDATION: That the Governor in Council pass regulations under Section 19 of the Canadian Human Rights Act, to require non-discrimination terms to be included in all Federal contracts, licenses, and grants.

**NOT
IMPLEMENTED**

Not Prepared: The Canadian Human Rights Commission supports this recommendation, but has been advised that the Government is not prepared to pass regulations.

Under Review: The Department of Justice replied to the Committee that the entire question of affirmative action and

contract compliance is currently under review. The feasibility of enacting the necessary regulations to give effect to Section 19 of the Act will be examined in the course of this review.

Regrets: The Committee regrets that this recommendation has not been implemented and reaffirms its support for contract compliance and related recommendations such as 28.

“The required terms would prohibit contractors, license-holders and recipients of grants from engaging in discriminatory practices described in Sections 5 to 13 of the Act. These include discrimination in access to goods, services, facilities and accommodation customarily available to the public—and also discrimination in employment, hiring practices or union membership.”

“Employment is the most urgent need of disabled persons in Canada. At the present time, however, Federal employment policies are formulated without any solid knowledge about disabled persons.”

29

ESTABLISH SENIOR ADVISORS TO MINISTER OF EMPLOYMENT ON NEEDS OF DISABLED PERSONS

RECOMMENDATION: That the Federal Government direct the Minister of Employment and Immigration to establish, within that Department, a group at the most senior level that would be responsible for the development and strategic implementation of policies and programs aimed at the employment of the handicapped.

COMMITTED

Guarantee: The Minister of Employment and Immigration told the Committee that he cannot state the exact mechanism but “I can guarantee there will be one”. Based on the Minister’s statement, the Committee believes there is a firm commitment to create a group of senior advisors. An organizational review at the Canada Employment and Immigration Commission (CEIC) is presently underway, and this review will study the best way to implement the recommendation.

Workplan: CEIC has a proposed workplan which includes establishing a directorate for disabled persons within the Commission. This directorate

would coordinate departmental programs for disabled persons, monitor the effectiveness of these programs, act as an advocate in departmental planning, plus carry out a research function, including the development of a data base on disabled persons.

Stress Importance: Consumer groups have responded to this recommendation by stressing the importance of consultation between consumer groups and this proposed group of senior advisors within the Commission. Employment was identified as a key issue in the hearings throughout Canada. The Committee urges the Minister to act quickly in completing the organizational review and in initiating changes as a result of the review. There has been sufficient time to complete the review, now is the time for action.

30

PURCHASE MORE GOODS AND SERVICES FROM SHELTERED WORK SETTINGS

RECOMMENDATION: That the Federal Government give priority in its purchasing policy in order to ensure that a significant amount of goods and services required by Federal Departments, Agencies and Crown Corporations will be provided by firms and organizations established specially to provide employment opportunities to disabled persons. This policy should include such measures as:

- Ways and means to expand the industrial capacity and competitiveness of these special suppliers, such as long-term contracts and low-interest loans.
- "Set Aside" products and services which are exclusive purchasing contracts that will provide an element of security and continuity to this type of organization.

- A review process to protect against exploitation of workers within these special organizations and to ensure that the working conditions and environments are adequate.

NOT IMPLEMENTED

Major Impact: The Department of Supply and Services, along with Treasury Board and Health and Welfare are currently sponsoring a major study, BIDS, which stands for Business and Industrial Development Strategies. The three-year study, also sponsored by the Canadian Council of Rehabilitation Workshops, is intended to identify potential production

capabilities of sheltered workshops. The Minister of Supply and Services anticipates that it will have a major impact on the volume of government business with workshops, but that it is too early to state the exact nature of that impact.

Move Quickly: Although the existence of sheltered workshops has come under criticism, sheltered employment is important to a number of disabled persons. The Federal Government can encourage the employment of disabled persons in this type of work through an aggressive purchasing policy. The Committee recommends that, as soon as the results of the BIDS study are available, the Government should move quickly to implement this recommendation.

"It must be recognized that conditions in some workshops are deplorable. Too often they have become charitable institutions rather than business enterprises."

31

MAKE BUSINESS GRANTS AND LOANS AVAILABLE TO DISABLED PERSONS

RECOMMENDATION: That the Federal Government ensure that its industrial development grants and small business loans and other incentives to small businesses and cooperatives, and its programs for industrial and regional development are available to disabled persons and their organizations. To this end, the Federal Government should establish an interdepartmental committee to review the current situation to make specific recommendations to correct the situation.

UNDER CONSIDERATION



Current Programs: An interdepartmental committee coordinated by the Department of Industry, Trade and Commerce is studying this recommendation. This group is examining the use of current industrial assistance programs in providing financial assistance to disabled persons with business operations. It is also considering ways to upgrade this assistance.

Not Effectively: This interdepartmental committee has found that non-profit corporations and organizations of and for disabled persons have not been able to avail themselves effectively of various Federal Government programs which offer funding and advisory services to businesses, despite the fact that they are technically eligible for such assistance.

Misinterpretation: This lack of success seems to stem from a traditional assumption on the part of Federal program managers that non-profit corporations or workshops of

disabled persons are "charitable" or "social service" enterprises, and are thus ineligible for assistance. This misinterpretation or misinformation has in turn confused and discouraged groups of disabled persons, resulting in underutilization of these programs.

Improved: The Committee is pleased that this interdepartmental group has been established to study the problem, and the Committee urges serious consideration of improved assistance for disabled persons who have business operations. The Members have received numerous letters from disabled persons who wish to start or improve businesses. Such persons have found it difficult to get financial backing, in the past, because of difficulty in establishing a line of credit.



The Committee urges those responsible for operating programs for businesses to make it clearly known in all promotional materials that non-profit corporations of disabled persons are eligible for assistance through these programs.

32

EXPLORE AGRICULTURAL JOB OPPORTUNITIES
FOR DISABLED PERSONS

RECOMMENDATION: That the Federal Government explore with the Provinces and farm organizations, ways to increase the employment opportunities for disabled persons in the agricultural sector.

COMMITTED

Labour Pools: The Minister of Employment and Immigration told the Committee in April of 1981 that he had asked his officials to examine how farm labour pools can recruit persons with handicaps. His department then took this issue to the 1981-82 Federal-Provincial Agricultural Development Conference where this subject was one of the major discussion points. From this conference came a message that this was an important area to explore for the ongoing Federal-Provincial Agricultural Development Committees.

Seasonal Work: Subsequent to these discussions, the Canada Farm Labour Pools discussed the hiring of disabled persons. The Canada Employment and Immigration Commission (CEIC) reported success in placing disabled persons in seasonal work, and in greenhouse work which is almost a year-around activity. A full report on this project will be prepared for the next Federal-Provincial Agricultural

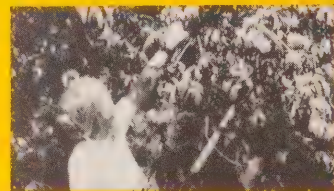
Development Conference to be held in October 1982.

Innovative Attempts: The Committee is aware of a number of innovative attempts to match disabled workers with particular tasks in agricultural settings which were highly successful. Two examples are offered:

- **Greenhouse:** A greenhouse farming operation which was staffed by physically disabled persons continues to expand and operate. Greenhouses are particularly accessible and well-suited to the needs of workers with mobility disabilities.
- **Dairy Farms:** A feasibility study on placement of mentally disabled persons in dairy farming jobs prompted such a positive response from the farmers surveyed that a team of workers was made available on a contract basis. A significant number of the farmers who hired these mentally disabled workers demonstrated their satisfaction by rehiring them or recommending them to other farm operators. All those who hired these teams agreed it had been a satisfactory experience and several, in particularly telling comments, said they wished they had known earlier about the availability and capabilities of these workers.

Encourage Hiring: In a report tabled by the Secretary of State in December 1981, CEIC replied

that the Program for the Employment Disadvantaged (PED), could be used to encourage hiring of disabled persons in agriculture. Field officers were directed to explore this possibility, but they discovered that most agricultural jobs did not meet the PED criteria—namely, continuous year-round employment.



Negative Image: The Canadian Association for the Mentally Retarded did not like the recommendation because of the negative image of farm colonies. It stressed that it should only apply to those persons who like agricultural work.

Explore Ways: The Committee applauds CEIC for continuing to explore ways of implementing the intent of this recommendation when it discovered that the PED program was not the best vehicle. It encourages CEIC to continue exploring further prospects for matching disabled persons with suitable jobs in the agricultural industry.

33

IMPROVE SERVICES TO DISABLED PERSONS AT EMPLOYMENT CENTRES

RECOMMENDATION: That the Federal Government increase the effectiveness of its services to disabled persons by implementing the following measures;

- (A) Accelerate the current program to make all Canada Employment Centres (CEC) accessible by December 31, 1983.
- (B) Increase substantially the number of Special Needs Counsellors across the country; however, disabled persons should not be obliged to use these counsellors exclusively, but may use the full range of regular services.
- (C) Ensure that all CEC personnel are exposed to orientation or training sessions.
- (D) Ensure that in the personnel evaluation process special recognition be given to counsellors placing disabled persons in jobs.
- (E) Ensure that the services provided by the major CECs are available to the visually and hearing impaired.

(A) COMMITTED

900 Points: The Canada Employment and Immigration Commission (CEIC) reports that one-third of its 900 points of service are fully accessible. CEIC, together with the Department of Public Works, is developing a full access plan. It

will be ready by March 1983. At that time a Cabinet submission will be prepared, calling for all new construction to be designed within full access standards, and that all leased accommodation be accessible within 3 to 4 years.

More Quickly: While the Committee is pleased that one-third of all CEIC's facilities are accessible at this point, it feels that the Commission must move more quickly to demonstrate its commitment to the principle of accessibility of service. The Committee reiterates its original position that CEIC accelerate its program.

(B) UNDER CONSIDERATION

Special Needs: CEIC currently has 130 special needs counsellors in its 400 Canada Employment Centres. CEIC has proposed a work plan for the establishment of a number of special employment groups which would provide a full range of employment services to disabled persons, plus extended services such as marketing the services of particular clients.

Interim: These special groups are seen only as an interim measure. CEIC feels that separate groups are necessary in the short term because of the possibility of staff reallocation under the regular system. Currently, regular staff

may be reassigned tasks if the work flow changes. For example, there may be a sudden influx of unemployment insurance applicants. In order to allow the staff to concentrate their efforts on employment services for disabled persons, the working group must be a separate one.

Diagnostic: During the past year, CEIC has increased its funding for diagnostic services for disabled persons. Funds are paid to consultants to provide a comprehensive assessment of the training needs of disabled persons. This has been a successful program and CEIC plans to continue it as part of its employment services. There has been a managerial directive that disabled persons may choose to use either the regular services or a special needs counsellor.

Caution: The Committee is concerned about CEIC pursuing a program which involves segregated activities, and urges CEIC to proceed with caution. The Commission should consult with disabled consumers and their organizations before embarking upon this proposal. While the use of separate employment groups may be necessary because of current administrative operations, the Committee is not convinced that this is the most effective way to deliver services to disabled persons.

The Committee believes that this recommendation can be implemented without significant

increase in person-years by re-shuffling priorities. The Committee strongly believes that special needs counsellors are needed in all major centres.

(C) UNDER CONSIDERATION

Training Program: At a meeting with the Committee, the Minister of Employment and Immigration said that his department has undertaken a training program for employment counsellors. It is a competency-based program using training modules. The long-term schedule calls for nine modules, approximately three of which have been developed at this point. Training which is related to special needs will be covered in later modules. This would include the special needs of disabled persons. The proposed directorate for disabled persons would have responsibility at that time for ad hoc short-term orientation workshops for the staff who will operate the training modules.

Information Package: The Canadian Rehabilitation Council for the Disabled (CRCDD) has offered to help develop an information package for the training of these counsellors. The Canadian Association for the Mentally Retarded emphasized the need to consult with relevant disabled groups in developing the training package.

Aware Of Needs: The Committee regrets that the training module on special needs will not be developed in the near future. The Committee urges CEIC to take interim steps to provide small orientation sessions and workshops so that all CEIC staff

are aware of the special needs of disabled persons. The Committee further emphasizes that CEIC should consult with interested groups in the preparation of such sessions.

(D) IMPLEMENTED

More Time: CEIC has recognized that the placement of disabled persons does take more time. Therefore, special consideration is given to this in the evaluation of special needs counsellors. The Committee is pleased that CEIC has taken this step.

(E) NOT IMPLEMENTED

Limited Action: There has been very limited action by CEIC in making Canada Employment Centres more accessible to visually-and-hearing-impaired persons. The provision of TDDs (Visual Ears), for example, are a budget item to be decided upon by the region. Headquarters does not require installation of such equipment, despite the fact that Treasury Board has sent out a directive that all Government departments must install the Visual Ear equipment at each major source of public information.

Principles And Practices: CEIC has sent to the regional offices a document, "Principles and Practices For Delivery of Services to Handicapped Persons". Under section #7, "Special Equipment", the following directive is made: "Each region will develop a plan

for installing, over time, as resources permit, of appropriate technical aids required to ensure suitable treatment of handicapped clients with communications problems".

There is some indication from this that the regions in the future will install the Visual Ear equipment.

Appointment Service: The document cited above also includes section #8, "Appointments", with the following copy: "Each region will ensure that Canada Employment Centres (CEC) offer appointment service for its clientele". Basically, this means that a handicapped person can obtain appointments for service at a specified time and special arrangements can be made to facilitate the interview. For example:

- Reading of information to a blind client.
- Holding the interview at an alternative site if the CEC is not accessible to the client.
- Providing interpreter services for a hearing-impaired client.

Special Training: The Canadian Co-ordinating Council on Deafness strongly supported this recommendation, and stressed the need for special training for the CEC staff, especially sign language training for the special needs counsellors. The Council also noted that the CEC's must be accessible by Visual Ear equipment. The Canadian Hearing Society also stressed that CEC's should be accessible and that interpretation services be available.

No Indication: The Committee is not convinced that CEIC has

worked diligently to implement this recommendation. The use of special telephones for deaf persons is a case in point. Such items as Visual Ear equipment should be provided as standard items, not left to the discretion of a region. During 1981, even a major private department store provided TDD service. Surely, CEIC can provide such service in its major centres. There is no indication that departmental information is available in alternative media such as cassettes, large print or braille, despite Treasury Board directive to do so. The Committee reiterates its original recommendation that CEIC ensure that it is *fully* accessible to all disabled persons.



“Many employment problems facing disabled persons can be attributed to a lack of coordination between governments and the private sector. Job opportunities are lost simply because disabled persons are not informed about them.”

34

INCREASE COORDINATION BETWEEN GOVERNMENT AND PRIVATE SECTORS REGARDING EMPLOYMENT

RECOMMENDATION: That the Federal Government improve the programs and services to disabled persons by implementing the following measures:

- Establish an Advisory Committee on Employment of Disabled Persons in the Private Sector, with representation from business, government and labour. This Committee should advise the Minister of Employment and Immigration on all matters relating to training, placement and job creation which fall within the Minister's mandate; similar committees should be established in each region and at the local Canada Employment Centre (CEC) level;
- The Federal-Provincial Manpower Needs Committee be asked to play a coordinating role between the two levels of

government and the private sector to increase the opportunities for employment of disabled persons in the private sector.

COMMITTED



National To Local: At an April 1981 meeting, the Minister of Employment and Immigration responded by stating that he would incorporate this recommendation as part of the on-going responsibilities of the

Canada Employment and Immigration Advisory Council (CEIAC). This Council is composed of labour, management and public representatives. The Minister said that he would start this process at the national level and work down to the local level, and that the Federal-Provincial Manpower Needs Committee would be asked how this activity could best be carried out throughout Canada.

Much Work: The Committee sees that much work remains in the implementation of this recommendation, but recognizes that a commitment has been given to proceed on it. The Members are pleased that the Minister is committed to the principle of consultation in this area and urges the rapid introduction of consultation mechanisms at the local level.

35

GIVE HIGHER PRIORITY TO NEEDS OF DISABLED PERSONS IN SPECIAL PROGRAMS

RECOMMENDATION: That the Federal Government give higher priority to the needs of disabled persons within the following programs;

- (A) Industrial Training Program — Special Needs;
- (B) Local Employment Assistance Program (LEAP);
- (C) Grants and contributions to organizations of the disabled;
- (D) Community Services Program;

In addition, the Federal Government should:

- (E) Continue the Employee Tax Credit Program for employers embarking upon Affirmative Action Programs;
- (F) Revamp and expand the Outreach Program to make it more responsive to the disabled community and to ensure longer-term financing;
- (G) Ensure that summer employment programs, student trainee programs and job creation programs allow for the particular needs of disabled persons in their funding arrangements.

(A) COMMITTED

New Act: The Minister of Employment and Immigration introduced a new training act as a response to this recommendation. At a Federal-Provincial Conference in January 1982, he said: "Women, natives, and handicapped and others who

suffer disadvantages in the labour market require better access to continuing and productive employment and employment upgrading. Training programs must be designed to ensure that they have equal opportunities."

Necessary Steps: The Committee is pleased that The Canada Employment and Immigration Commission (CEIC) plans to take the necessary steps to give disabled persons a higher priority in training programs. In order to obtain meaningful employment, some persons require this training. The Committee is pleased that CEIC has recognized the difficulties encountered by disabled persons in obtaining such training. The Committee further urges the Minister to obtain early passage of this legislation.

(B) IMPLEMENTED

Higher Priority: CEIC has reported that a higher priority to the needs of disabled persons has been implemented in the LEAP program. On the application form for funding, the group is asked whom it plans to hire. A higher priority is given to projects which hire from the target groups (women, native population, and disabled persons).

24 Funded: In 1981-82, there was an increase in priority for projects for disabled persons. CEIC had a target of 11 new LEAP projects

for disabled persons. 24 were actually funded. This brings to 96 the number of LEAP projects for disabled persons, involving 702 participants.

The Committee is pleased that CEIC has taken the necessary steps in this way to give higher priority to disabled persons in its special employment programs.

(C) UNDER CONSIDERATION

Providing Grants: CEIC plans to give a higher priority to providing grants and contributions to organizations of the disabled. In 1982-83, there is a planned increase of 45% in the grants and contributions and this increase will go to disabled persons. The Committee is pleased with this action.

(D) IMPLEMENTED

Special Measures: CEIC has already introduced special measures to ensure that the Community Services Program and job creation programs give a higher priority to disabled persons. On application forms, a group must indicate whom it plans to hire. A higher priority is again accorded to projects which hire from target groups, of which one is disabled persons. The

Committee is pleased that CEIC has taken this step.

(E) IMPLEMENTED

Disadvantaged: The Employee Tax Credit Program has been replaced by the Program for Employment Disadvantaged. The program will pay 85% of the gross wages for all eligible workers for up to 13 weeks. After that, 50% for up to 26 weeks, 25% for a further 26 weeks. The program will also pay up to \$5000 per employer for special equipment alterations needed to hire disadvantaged workers. The total program will provide \$25 million over two years.

100% Placement: The program was expected to place up to 2,300 disabled employees within the first year. The actual placement was 126% of this total, but with drop-outs taken into account, the actual placement was 100%. CEIC was pleased with the results because it had anticipated a higher drop-out rate. The Commission plans to ask for a 40% increase in funding for the program.

Major Project: The Program for Employment Disadvantaged was a major project of CEIC for the International Year of Disabled Persons. The Commission stresses that the major goal of this program was employment in the labour force, not job creation. It feels that the program has been successful in placing disabled persons in jobs.

Criticism: There has been some criticism of the program. The Canadian Mental Health Association was dissatisfied that the program did not initially

include the psychiatrically disabled. The Coalition of Provincial Organizations of the Handicapped (COPHO) was very critical about the lack of consultation in the development of the program.

Intent: The Committee congratulates CEIC for its initiative in introducing the Program for Employment Disadvantaged. The Committee feels that the Commission has met the intent of this recommendation. It feels, however, that CEIC should respond to the criticisms by disabled consumers and their organizations by meeting with these groups.

(F) UNDER CONSIDERATION

23% Of Projects: During 1981-82, disabled persons were considered a priority for Outreach projects. 23% of the new projects were targeted for disabled persons, and the total funding for all Outreach projects will increase from \$11-million this year to \$16-million during 1982-83.

Acknowledgement: At a meeting with the Committee, the Minister of Employment and Immigration acknowledged the need for both Outreach projects and for regular employment services for disabled persons. The Outreach program will continue but CEIC has been conducting a policy review to improve its services, including services to disabled persons.

Support: A number of groups such as the Canadian Co-ordinating Council on

Deafness, the Canadian Hearing Society, the Ontario March of Dimes and the Canadian Association for the Mentally Retarded supported this recommendation. However, the Canadian Council on Social Development expressed concern that the Outreach program seems to run counter to the principle of integration. If this is deemed to be necessary, then the Council feels that the program needs some major improvements. COPOH wants consumer involvement in the study of Outreach and wants input into the criteria for future projects.

Work Quickly: While the Committee is pleased that CEIC has increased the funding to the Outreach projects for disabled persons, the Committee urges the Commission to work quickly to complete the policy review, and to institute necessary changes. Some of the shortcomings of the Outreach program have been well-known for some time. Now is the time for action.

(G) IMPLEMENTED

Disabled Students: Special measures were introduced for the 1981 program to encourage Federal departments and agencies participating in the Summer Canada program to set targets for the hiring of disabled students. Special measures of this sort were introduced for the 1980-81 programs. Sponsoring organizations must include a positive hiring plan with their application, setting targets for the hiring of physically disabled students.

The Committee is pleased that CEIC has taken this step.

36

PROTECT EMPLOYEES IN PRIVATE INDUSTRY WHO BECOME DISABLED

RECOMMENDATION: That employers and labour unions in the private sector be encouraged to ensure that disabled workers are provided employment opportunities, income and job security, by including measures in personnel policies or collective agreements to this end, such as:

- Special re-training plans;
- Transitional arrangements, including training or retraining, to facilitate return to the workplace;
- Preferential arrangements or guarantees to ensure return to a former job or suitable alternative.



Greater Priority: The Canadian Labour Congress (CLC) adopted, in September 1980, a policy statement on disabled people, including such considerations as the following:

That the CLC encourage all affiliates to place a greater priority on:

- Income security for all disabled members.
- Participation of local union representatives in devising fair and appropriate job allocations and assignments in every affected work place.
- Encouragement of greater opportunities for all disabled members of the community.
- Development of the necessary guidelines to enable its federations, councils and affiliates to work with disabled people, as well as with services and programs designed to assist disabled people; and implementing these programs at the provincial and local levels.

CLC has a consultant available to unions to provide assistance in developing practical plans.

Pursue Questions: Labour Canada will be pursuing the question of services and assistance for injured employees with employers and unions in order to explore new approaches which will ensure that disabled workers have the same protection as other employees.

Well Established: Some companies already have well established labour-management committees to encourage the employment of disabled workers. Officials from Canadian National told the Committee that CN's rehabilitation program, a co-operative effort involving both management and the union, is more than 50 years old. Officials also stressed that the real work in this area occurs at the grassroots level between shop foremen and the workers.

Limited Role: In the past, labour unions have played a limited role in helping disabled persons, but this is changing as more and more union members begin to understand the need of disabled persons to help themselves. Lee Miers of the Windsor and District Labour Council, summed up the need to educate union members about the needs of disabled persons when he said:

"The International Year of Disabled Persons started to put disabled and able-bodied people together, something that should have been done years and years ago. We have to pick up the concept now, and labour will do its part, but it needs time and education."

NO JURISDICTION

Note: This recommendation relates to activities which are outside the jurisdiction of the Federal Government. The Committee, feels, however that the policies and practices of employers and labour unions have a major impact upon the employment opportunities of disabled persons, therefore, the following comments have been included in this report:

37

REPLACE VOCATIONAL REHABILITATION OF DISABLED PERSONS ACT (VRDP)

RECOMMENDATION: That the Federal Government replace the Vocational Rehabilitation of Disabled Persons Act (VRDP) with new legislation which will enable it to share in the costs to the provinces of providing a comprehensive range of employment services to disabled persons, including prevocational services, the vocational rehabilitation services now covered under VRDP, job creation activities and services to help maintain employment;

That sheltered workshops or similar work settings funded under this legislation pay the provincial minimum wage to their disabled workers and that their boards include a substantial number of disabled persons or their representatives;

That, as a condition of funding, the Provinces be required to establish an independent agency, where they have not already done so, to monitor the conditions in sheltered settings and that this agency include representatives from the disabled community, parent groups, business and organized labour;

That this legislation be administered by the Canada Employment and Immigration Commission to ensure closer integration with the Commission's programs and services; and

That the Federal share under the legislation vary according to the province's economic situation as measured by its unemployment rate and the number of persons on social assistance.

UNDER CONSIDERATION



Initial Discussions: The Minister of National Health and Welfare held initial discussions on this recommendation with provincial ministers of social services at the Federal-Provincial Conference, February 23, 1982.

Not Prepared: The Minister indicated that her Cabinet colleagues were not prepared to specify in advance any commitment of funds for contributions in support of expanded social services to disabled persons. Cabinet did authorize the Minister to consult with the provincial governments and with the voluntary sector to get "costed options" of providing such services. The provincial ministers of social services agreed to provide such data for preparation of proposals which Cabinet will examine later in 1982.

Support: There has been widespread support for this recommendation from consumer groups and associations. The Coalition of Provincial

Organizations of the Handicapped (COPHO) felt that the Vocational Rehabilitation of Disabled Persons Act (VRDP) should be under the jurisdiction of Employment and Immigration Canada, and that the limitations and narrowness of the existing program are a problem. The Canadian Rehabilitation Council for the Disabled (CRCDD) wants acceptance of the principle that disabled persons should return to work and that the provision of a pension is not enough assistance under this Act. The Canadian Mental Health Association stressed the need for more resources for work centres to provide work experience so that disabled persons can eventually re-join the labour force.

Critical And Costly: This area was identified throughout the hearings as a critical area, and the Committee feels that the Federal Government should press for changes. The Committee realizes that this is a costly recommendation to implement, but also wants to point out that it is one of the few recommendations in the report which carry a large price tag.

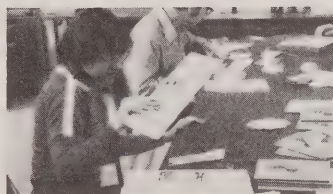
Those Who Need It Most: The Committee is aware of the Government policy of restraint. However, it reaffirms its support for new legislation to provide a comprehensive range of employment services to disabled persons.

38

IMPLEMENT AFFIRMATIVE ACTION PROGRAM IN NEW POST OFFICE LEGISLATION

RECOMMENDATION: That legislation replacing the Post Office Act include provisions requiring the Post Office to implement an Affirmative Action Employment Program, and to adopt a policy of purchasing a significant amount of goods and services from firms and organizations established specifically to provide employment for disabled persons.

**NOT
IMPLEMENTED**



Not Included: While this measure was not included in the Canada Post legislation, The Department

of Labour is discussing the employment of disabled persons by Canada Post. The recommendation was supported by the Ontario March of Dimes, the Canadian Association for the Mentally Retarded, and by the Canadian Hearing Society. Once again, the Committee reiterates its support for compulsory affirmative action programs in Crown Corporations. The Committee is not convinced that voluntary compliance will occur.

“There are existing organizations which hire disabled persons, especially those who are mentally retarded, to deliver some forms of municipal mail. These organizations fear that the new legislation will eliminate the opportunities for disabled persons to do this useful work.”

39

ESTABLISH DISABILITY INSURANCE PROGRAM

RECOMMENDATION: That the Federal Government gradually establish a Comprehensive Disability Insurance Program which would be integrated with the present system of Canada Pension Plan/Quebec Pension Plan (CPP/QPP) benefits and which would:

- Eventually cover all disabled employees, spouses and dependents;
- Be actuarially sound and paid for out of an expanded premium structure and CPP/QPP;
- Be indexed to the Consumer Price Index.

UNDER CONSIDERATION



Joint Study: The Minister of National Health and Welfare, in a speech to the United Nations on December 7, 1981, proposed that the Federal and Provincial Governments cooperate on a joint study of a national disability insurance scheme and related topics. At the Federal-Provincial Ministers of Social Services Meeting in February 1982, they agreed to a federal-provincial task force to investigate establishing a comprehensive disability protection program in Canada. The study will examine both insurance-based approaches and non-insurance based options. The final report is due to be released in September 1983.

Support And Concerns: This recommendation for a comprehensive disability insurance program was supported by consumer groups and associations. However, the

Canadian Life and Health Insurance Association is concerned that a new government insurance plan will be implemented without examination of the current needs and resources.

Serious Consideration: The Committee is pleased that the Federal and Provincial Ministers have agreed to give serious consideration to the subject of income protection for disabled persons. The Committee also appreciates that this subject is indeed a complex one which will have a major impact on the private sector, particularly the insurance industry. The negotiations for such a proposal are lengthy. For example, the Canada Pension Plan took two years to negotiate. The Committee commends the Minister of National Health and Welfare for initiating discussion, and urges serious consideration by both Federal and Provincial Governments of the ongoing study.



40

EXPAND CANADA PENSION TO
AID DISABLED PERSONS

RECOMMENDATION: That the Federal Government, as a first step towards a Comprehensive Disability Insurance Program, expand the Canada Pension Plan as follows:

- (A) To increase the "flat rate" component of the disability pension to an amount at least equal to that of the Quebec Pension Plan;
- (B) To change the definition of disability so that it will exclude fewer people;
- (C) To allow earnings on a sliding scale while in receipt of benefits;
- (D) To provide for special needs for disabled pensioners.

disability pension be lowered. A person deemed disabled would only need to have contributed to CPP in one of the last two years. Currently, contributions in at least the last five years are required.

3. That the CPP's contributory period over which earnings-related benefits are calculated, end in the month in which the contributor is deemed to have become disabled rather than three months later.

Need To Provide: At the meeting, the Provincial ministers agreed that "the need to provide improved protection to CPP disability pensions is a priority". However, some ministers wanted to consult with provincial colleagues before agreeing. The Minister of National Health and Welfare could not report, therefore, that "the proposals were agreed to by the provinces and that progress towards implementation is proceeding rapidly"—but the Federal Government considers these changes an important social priority.

Department of National Health and Welfare prefers to wait for any action on this question until after the Federal-Provincial study on comprehensive disability protection program is completed. The definition of disability will be included in the terms of reference of this study.

(A) COMMITTED

Three Proposals: On December 7, 1981, the Minister of National Health and Welfare announced three proposals for changes to the Canada Pension Plan to be discussed at a Federal-Provincial Conference in February 1982:

1. That the "Flat-rate component of CPP" be increased in 1982 from \$70.68 a month to \$227.73 per month, which is the level of the Old Age Security benefits, and that "earnings-related component" be raised for 1982 from \$230.74 to \$307.65.
2. That the minimum requirements for eligibility for a CPP

**(B) NOT
IMPLEMENTED**

Definition Of Disability: The question of broadening the definition of disability has been of concern for some time. The

**(C) NOT
IMPLEMENTED**

Earnings On A Sliding Scale: The Committee urges consideration of this proposal as part of the interim action while the Federal Government awaits the results of the Federal-Provincial study.

**(D) NOT
IMPLEMENTED**

Special Needs: The Minister of National Health and Welfare does not agree with the recommendation to provide for special needs for disabled pensioners. She feels that such a provision would involve a drastic change and expansion of the administrative structure of the CPP disability program. The Minister also feels that such needs are more appropriately addressed through provincial programs.

41

**PROVIDE TEMPORARY ASSISTANCE TO OFFSET
COSTS INCURRED BECAUSE OF DISABILITY**

RECOMMENDATION: That, until the Comprehensive Disability Insurance Program takes effect, the Federal Government help offset the costs incurred due to disability, by sharing with the provinces the costs for an income tested flat-rate disability supplement, under the Canada Assistance Plan.

That consideration be given to the implementation of a cost-sharing formula for the disability supplement which would allow for varying federal contributions depending upon the province's financial situation.

COMMITTED

Cost-Sharing: The Canada Assistance Plan (CAP) currently cost shares in a needs-tested flat rate allowance for the disabled. CAP guidelines permit Federal cost-sharing of any item of need which is individually demonstrated to be a requirement of a disabled person, or his or her family.

The Canadian Mental Health Association supports this

recommendation, but points out that the needs of the psychiatrically disabled should not be ignored.

Offset The Costs: Again, the Committee reiterates its concern for disabled persons by advocating the use of Federal programs to work on behalf of the disabled. The Committee urges the Federal Government to use the CAP program to offset the costs incurred due to disability.

“A disabled person can incur significant extra costs which result directly from the disability. Clothes wear out more quickly, taxis must be taken more often, attendant care may be required. There are also the costs of aids and devices which are not covered by existing programs.”

42

**MODIFY CANADA ASSISTANCE PLAN TO
AID DISABLED WORKERS**

RECOMMENDATION: That, until the Comprehensive Disability Insurance Program takes effect, the existing Guidelines under the Canada Assistance Plan be modified as follows:

- The Liquid Asset Exemption should be substantially increased to allow for the additional costs related to a disability;
- The Earnings Exemption should be increased to enable a permanently disabled person who is working part-time to retain a larger share of his or her earnings;
- The Earnings Exemption Guidelines should allow for a longer transition from social assistance to employment, taking into account the nature of the disability, up to a period of two years.

**NOT
IMPLEMENTED**



More Comprehensive: The Canada Assistance Plan guidelines were revised in 1980. This revision enables the provinces to provide more comprehensive benefits to disabled persons on a cost-shared basis. Support for the recommendation has been received from major associations, and the Canadian Association for Mentally Retarded, in particular,

supported the extension of the liquid asset exemption.

Lever To Influence: The Committee recognizes that the Federal Government can only use cost-shared programs as a lever to influence provincial programs. The Members, however, urge the Government to revise its guidelines under the Canada Assistance Plan to meet the special needs of disabled persons.

“Attempts by the disabled person to correct this situation through employment usually endangers his or her eligibility under the Plan. Not only might the basic allowance be lost, but also the free medical, drug and dental benefits that are provided.”

“The mere fact of being institutionalized automatically casts a disabled person further into a dependent role, in which he or she can exercise few personal decisions.”

43

PROVIDE CASH ALLOWANCE FOR PERSONAL NEEDS TO DISABLED PERSONS IN INSTITUTIONS

RECOMMENDATION: That the Federal Government discuss, with the Provinces, the provision of a minimum personal allowance to institutionalized disabled persons; that this allowance be an amount which adequately meets basic personal needs, and that it be indexed to the cost of living.

NOT IMPLEMENTED



Provincially Granted: There is no reported action on this recommendation by the Federal Government. Currently, there is Federal cost-sharing in provincially granted comfort allowances under the Canada Assistance Plan, but there is no requirement that the provinces must provide such allowances.

Not Receiving: The Canadian Association for the Mentally Retarded supports this recommendation for persons who need to be in institutions. The Canadian Mental Health Association reported instances where psychiatrically disabled “Homes for Special Care” are not receiving comfort allowances.

Not Adequate: The Committee feels there has not been adequate action on this recommendation and that it has not received attention because it is not a high priority item. Although small in amount, such allowances mean a great deal to institutionalized disabled persons. The Committee feels that action should be taken to ensure that persons in an institution have this small measure of human dignity.

44

PROVIDE EXTENDED BENEFIT PERIOD TO DISABLED WORKERS WHO ARE UNEMPLOYED

RECOMMENDATION: That, until a Comprehensive Disability Insurance Program takes effect, the Federal Government amend the Unemployment Insurance Act to:

- Provide an extended benefit period for unemployed disabled workers in addition to their basic entitlement;
- Increase the amount paid to an unemployed disabled worker from the current rate of 60% of an average weekly wage to 75%, in consideration of the extra costs incurred by the person in searching for new employment.

WITHDRAWN



Further Study: The Canada Employment and Immigration Commission says that the recommendation requires further study, and that it will be considered along with the recent task force report: Unemployment Insurance in the 1980's.

Additional Difficulties: The recommendation has received strong support from various associations—the Canadian Co-ordinating Council on Deafness, the Canadian Council of the Blind, the Canadian Association for the Mentally Retarded—because it recognizes the additional difficulties of a disabled persons in finding a job.

Reimbursement: The Advisory Committee on Employment of Physically Disabled to the President of the Treasury Board rejects the concept of receiving a different rate of insurance. Instead, it prefers reimbursement for certain handicapped-related expenses upon presentation of receipts.

Extended: The Coalition of Provincial Organizations of the Handicapped (COPHO) prefers reimbursement for expenses through revision of existing programs such as the Mobility Program, and does not want a "special" insurance provision. On March 27, 1982, COPHO passed a resolution stating that "existing CEIC programs include extra costs of job search and it should be extended to all costs of disabled persons."

Urgency: Disabled persons incur more expenses in finding employment. Therefore, the unemployment benefits should take this factor into account. The Committee recognizes the significance and urgency reflected in the COPHO analysis. Rather than prolonging a debate on various administrative approaches to address this issue, the Committee withdraws its original recommendation and endorses the position articulated by COPHO. Unemployed disabled persons require more assistance than do able-bodied persons. Revisions to existing CEIC programs can best accommodate and respond to this very real need for financial help.

45

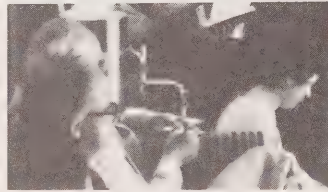
 PROCEED WITH PENSION CONFERENCE
BEFORE THE END OF 1981

RECOMMENDATION: That the Federal Government proceed with the proposed Pension Conference and that it be held before the end of 1981.

That the background papers prepared for the Conference be available to the general public.

That the Conference examine all aspects of disability insurance, including the practice of reducing benefits under private plans where a beneficiary is, or becomes, entitled to benefits under a public plan.

NOT IMPLEMENTED



Not Included: The Minister of National Health and Welfare decided that the primary focus of the Conference should be the subject of the greatest concern to the largest number of Canadians—private pensions for retirement. It was decided, therefore, not to include disability pensions in the agenda.

Co-operative Study: In a speech to the United Nations on December 7, 1981, the Minister proposed that the Federal and Provincial governments co-operate on a study of national disability insurance schemes. Other organizations have voiced an interest in similar studies. The Coalition of Provincial Organizations of the Handicapped (COPHO) resolved at its last annual meeting to study disability insurance, and the Canadian Life and Health Insurance Association suggested a working group be formed to review the current system. The Government of Saskatchewan held hearings on a provincial

disability insurance plan in February 1982.

Federal-Provincial: At a meeting of Federal-Provincial Ministers of Social Services in February 1982, it was agreed that a study of comprehensive disability protection program would be conducted, and that this study would include both insurance-based approaches, and non-insurance options.

Disappointed: The Committee is disappointed that the pension conference did not include the subject of disability pensions. Statistics indicate that 4 million Canadian workers are covered by private sector long-term disability insurance and 2 million workers are covered by shorter term disability insurance. Approximately 11 million Canadians have disability coverage through the Canada Pension Plan/Quebec Pension Plan. The Committee feels that disability insurance is a vitally important subject which merits full discussion. The Committee is pleased, therefore, that the Federal-Provincial Task Force on Comprehensive Disability Protection will include this topic.

46

AMEND INCOME TAX ACT TO OFFSET COST OF DISABILITY

RECOMMENDATION: That, in order to help offset the cost of disability, the Federal Government amend the Income Tax Act as follows:

That the current flat rate deduction be replaced by a disability deduction whereby a person may claim for himself/herself or a dependent the full cost of goods and services directly attributable to a severe and prolonged disability;

That those goods and services currently included in the medical expenses deduction and which are clearly attributable to a severe and prolonged disability be transferred to the proposed disability deduction; and

That a severe and prolonged disability refers to those persons who live at home and:

- Are covered presently by a flat deduction, or
- Are deaf or have a major hearing loss, or
- Are in receipt of full disability benefits under the Canada Pension Plan, Quebec Pension Plan, Department of Veterans Affairs or Workmen's Compensation, or
- Are or were registered in a provincial vocational rehabilitation program for disabled persons funded by the Federal Government.

or

That a refundable tax credit be provided if the disabled person's income is too low to take advantage of the entire deduction.

UNDER CONSIDERATION



Tax Concessions: In a letter responding to a constituent's complaint in this area, the Minister of Finance stated that his department was reviewing the income tax concessions currently available to the disabled as well as the recommendations of the Committee.

Abnormal: Existing income tax provisions relate to abnormal economic hardships directly resulting from identifiable disability and handicap. "Abnormal" is determined to mean that which is above 3% of one's income.

Two Options: The existing tax system provides relief only to those persons with enough income to be taxable. The system "has not, as yet, generally embraced a refundable tax program as a fundamental feature". The Minister stated in a letter to the Committee that "Many of the disabled do not, in fact, pay any tax because of their relatively low incomes and would thus not benefit from a larger tax deduction. You [the Committee]

propose that a refundable tax credit be provided to those who are not in a taxable position. While this would ameliorate this particular problem, it would not resolve it. Also, once the tax system was being used to provide benefits to all disabled persons, regardless of their tax status, the arguments for using that delivery mechanism would be less and it could be preferable to provide the benefits directly through a grant program. My preference, quite frankly, would be to provide a greater measure of relief to those with modest incomes.»

Process: The Minister also stated that he was unable to proceed unilaterally on tax recommendations. "They need to be initially reviewed by the Minister of Health and Welfare and the Minister of State for Social Development who have the primary responsibility for this policy area." The Minister of Finance also pointed out that there are technical concerns which require further analysis. "For example, I believe that your proposed definition of disability also required more study."

Integrated Package: The Department of Finance is awaiting a presentation by the Department of National Health and Welfare which will be a "comprehensive integrated package for federal assistance to the disabled". When this presentation is made, the Department of Finance feels that any subsequent amendments that are made to the Income Tax Act

must await the choice of an expenditure program—whether through tax expenditures, or direct grants.

Strong Support: This particular recommendation made by the Committee has received strong support throughout the disabled community in Canada:

- The Canadian Hearing Society feels that the recommendation should be a high priority for the Federal Government.
- The Canadian Mental Health Association wants “psychiatrically disabled” persons to be included.
- The Canadian Association for Mentally Retarded feels that deductions “should be realistically related and not under any sort of artificial percentage or blanket figure”.

- The Mayor’s Task Force (Toronto) feels that eligible deductions should be explicitly defined.

- The Canadian Co-ordinating Council on Deafness supports the idea of tax credit because tax deductions favour high income earners.

- The NWT Association for Children With Learning Disabilities states that learning disability should be clearly defined as a major and prolonged disability.

Eliminate Inequities: The Committee realizes that alterations to income tax provisions are, indeed, a complex matter, but the inequities in the existing system were aptly demonstrated during the Committee’s hearings. The

Committee urges the Department of National Health and Welfare and the Ministry of State for Social Development to proceed in the preparation of policy initiatives related to the implementation of this recommendation. The Committee also urges the Department of Finance to proceed with an analysis of technical problems in order to expedite amendments to the Income Tax Act.

“Disabled persons often lose much of their income at a time when basic expenses are significantly increased. The Income Tax Act should now be amended to assist disabled persons in carrying these extra costs. The amendment would expand the number of persons who can apply for a disability deduction.”

47

AMEND INCOME TAX ACT TO ENCOURAGE HOME OWNER RENOVATIONS

UNDER CONSIDERATION

RECOMMENDATION: That the Federal Government amend the Income Tax Act in order that a home owner may claim the following:

- A deduction based on the actual cost directly related to making a dwelling more accessible.
- A refundable tax credit, if no deduction or only a partial deduction was available because the home owner's taxable income was too low to take advantage of the entire deduction.

Waiting: There has been no comment from the Minister of Finance other than that the Department is studying the recommendations, but will not make any amendments until the Minister of National Health and Welfare presents a comprehensive integrated package for Federal assistance to the disabled.

Essential: The Committee appreciates the reasons for waiting, but feels that the Department must take some immediate steps to eliminate the inequities in the tax system. Several groups have pointed out to the Committee the importance of new income tax provisions:

- The Canadian Co-ordinating Council on Deafness feels that it is essential for the

hearing-impaired to be included, so that devices such as special alarm systems in buildings can be tax-deductible.

- The Mayor's Task Force (Toronto) feels that such deductions should also include renovations which make commercial areas accessible to the disabled.

Under the current legislation, there are contradictions which make accessibility difficult to achieve. For example, special devices to assist disabled persons in toileting are tax deductible, but renovations to make the doorway to the bathroom wider so that the disabled persons can have access to the bathroom are not. The Committee feels that in specific instances such as these, the Department of Finance can act immediately to provide deductions, without waiting for the presentations from other departments.

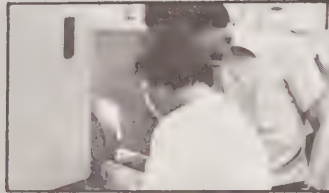


48

AMEND INCOME TAX ACT TO ENCOURAGE
ON-THE-JOB TRAINING

RECOMMENDATION: That the Federal Government amend the Income Tax Act and the Regulations thereunder in order that an employer may deduct for each new disabled employee up to 85% of the first year's wages, 50% of the second and 25% of the third, and combined with

A refundable tax credit if no deduction, or only a partial deduction, was available because the employer's revenue was too low to take advantage of the entire deduction.

UNDER
CONSIDERATION

Under Study: There has been no comment from the Minister of Finance other than that recommendations are under study. The Advisory Committee to the President of the Treasury Board on Employment of the Handicapped feels that such measures should be temporary.

Proceed Quickly: The Committee has received widespread support for this recommendation from organizations representing disabled persons, including

- The Canadian Hearing Society, which feels that such measures would result in expanded job opportunities for deaf people, as soon as the red tape is reduced.
- The Canadian Mental Health Association, which supports the recommendation as long as psychiatrically disabled are included.

The Committee feels that the Department of Finance should demonstrate a commitment to improving the integration of disabled persons in society by proceeding with these tax amendments as quickly as possible.

"A major obstacle to employment for disabled persons is the fact that they cannot secure suitable work experience. They are faced with a perpetual situation where they cannot get a job because they do not have the experience, and they cannot get the experience because they do not have a job."

49

DIRECT REVENUE CANADA TO CLARIFY TAXATION OF IMPORTED TECHNICAL AIDS

RECOMMENDATION: That for importing aids, Revenue Canada make available to disabled persons and to disabled consumer groups, information clearly setting out:

- The technical aids which may presently be imported without payment of customs duties and federal sales tax;
- The documents and procedures required to import these free of duty and tax;
- A simple procedure and application for having additional items exempted from either duty or tax.

That customs officers be fully informed of the relevant exemptions for technical aids for disabled persons and procedures.

That the Federal Government amend the Customs Tariff and Excise Tax Act to provide a general category of technical aids exempt from customs duties, federal sales tax, or both.

NOT IMPLEMENTED

Detailed Instructions: The Department of National Revenue publishes detailed instructions on procedures for obtaining exemptions. The Department states that interested groups may ask to be on the mailing list. The Committee feels that this attitude places the onus on the individual or group to contact National Revenue, whereas the Department should be taking the initiative in producing and disseminating information on the procedures for tax exemption.

No General Exemptions: The Department also states that it will not grant a general exemption because of the possible misuse of such an advantage. For example, according to the Department, devices for the deaf may be used by non-deaf persons in companies with noisy environments! This attitude means that disabled persons must present a medical certificate before being eligible for an exemption in purchasing a technical aid. The Canadian Hearing Society feels that devices used by disabled persons are generally not used for other purposes. The Society feels that a simple identification card from a recognized agency should suffice in obtaining an exemption.

Subjective Decision: The Minister of Finance replied "that general rules have to be imposed

for all goods which have the potential to be used by both the disabled and by persons without disabilities; in many instances, it is a subjective decision as to whether or not a specific article may be used only by the handicapped."

Streamlined: The Committee believes that current administrative practices at the Department of National Revenue cause frustration and inconvenience for individuals, associations and employers, and that such procedures must be streamlined as quickly as possible.

Detailed Complaint: The Committee received a detailed complaint from the Municipality of Metropolitan Toronto, describing its difficulties in obtaining an exemption from Federal sales tax on aids and devices to be used by disabled employees in the workplace. Since the City of Toronto is neither an "institution" nor an "association" the Federal sales tax was applicable. The City further objected to the time-consuming process of obtaining a medical certificate to prove disability in order to apply for an exemption for purchasing essential equipment meant for the sole use.

The Committee reiterates its original recommendation and urges the Minister of Finance to re-examine the subject of exemptions for disabled persons.

“This is an important consideration because it will provide more flexibility in speeding the process of removal of duty from specially-designed aids and devices which must be imported into Canada.”

50

EXEMPT AIDS FOR DISABLED PERSONS FROM CUSTOMS DUTIES

RECOMMENDATION: That the Federal Government take the necessary steps to participate in the protocol under the Florence Agreement and thereby exempt from customs and other duties those items needed by the physically and mentally disabled and imported from countries that are party to this Agreement.

COMMITTED

Duty-Free Entry: In the November 12, 1981 Budget, tariff item 47800-1 gives authority to the Governor in Council to provide duty-free entry for goods which are specifically designed for the use of disabled persons. This is an important consideration because it will provide more flexibility in speeding the process of removal of duty from specially-designed aids and devices which must be imported into Canada. The Budget specifically includes in this category electronic devices designed to aid persons with speech defects, and selector control devices of a kind not presently produced in this country.

Much Broader: The Minister of State (Finance), wrote that “Although Canada is not a signatory to this (Florence) Agreement, most of the products covered by the Agreement are accorded duty-free entry into Canada and in the case of aids for the disabled, Canadian duty-free provisions are much broader than those of the Agreement.”

The Committee feels that these Budget provisions, when implemented, will support the general thrust of the recommendation.

51

ENSURE ACCESS TO INFORMATION AND
ENTERTAINMENT FOR DISABLED PERSONS

COMMITTED

RECOMMENDATION: That the Federal Government direct the Minister of Communications, in consultation with disabled consumers and their organizations, to develop and publish a Communications Policy for Physically Disabled Persons, to ensure access to the same type of information and entertainment available to able-bodied persons.

That the Federal Government, in consultation with disabled consumers and their organizations, convene a national conference on "Communications and the Physically Disabled" as an important step in the policy development process.

Supportive Actions: The Department of Communications acknowledges to the Committee that no formal policy on "communications and the physically handicapped" exists, but feels that actions of the Department during the past year indicate its commitment to the objective of such a policy. These actions, the Department contends, are directly supportive of the policy of greater access to the same kind of information and entertainment for disabled persons as is now enjoyed by able-bodied persons.

Advisory Committee: The Minister of Communications proposes, instead of a national conference, the establishment of an advisory committee which would include disabled organizations as well as industry representatives. The Minister believes that such a consultative

group, meeting on a continual basis, would be more effective than a once-only conference.

Provincial Emphasis: The Minister also reports that he has brought the pertinent recommendations to the attention of the provincial ministers of communications. Following a Federal-Provincial meeting they issued a joint communique resolving to work within their respective jurisdictions to improve access to communications for disabled Canadians.

Formal Policy: The Committee commends the Minister for his interest and concern in this matter, and particular for the initiatives in Federal-Provincial matters. The Members urge that the advisory committee proposed by the Minister be established as quickly as possible, and also that the Minister establish a formal policy governing communications and disabled persons, so that succeeding ministers of communications will follow the initiatives that he is taking.

"With over one million physically disabled persons in the country, a national policy on their communications needs must be developed."

52

REQUEST CBC TO PRODUCE RADIO PROGRAMS FOR VISUALLY AND PRINT HANDICAPPED

RECOMMENDATION: That the Federal Government request the Canadian Broadcasting Corporation (CBC) to produce a few hours daily of radio reading programs of national interest to visually and print-handicapped persons in both official languages;

That the CBC transmit these programs, using existing capacity, and make them available to cable systems and local radio stations;

That Provincial Governments and local organizations be encouraged to fund and assist in the production of programs of local or regional interest;

That, as part of their community service programming, cable systems be required to provide a channel and facilities for a radio reading service.

COMMITTED



Consider Requests: The Minister of Communications has brought this to the attention of the President of the Canadian Broadcasting Corporation (CBC), provincial ministers, the Chairman of the Canadian Radio-television and Telecommunications Commission (CRTC) and the President of the Canadian Cable Television Association (CCTA). The CBC responded by stating that it does not see itself as either the operator of such a service or the producer of programs in this regard, but it is prepared to consider requests from established radio reading services for the use of the SCMO (Subsidiary Communications Multiplex Operations) channel of CBC-FM-monophonic stations.

Provincial Action: The recommendation also elicited response from provincial authorities. The Premier of Newfoundland has asked the Minister of Education in that province to consider a possible role which the Newfoundland School Broadcasts might play in bringing more programs to

print-handicapped persons. He also wrote a letter of encouragement to cable operators and local broadcasters to take a more active role in providing reading services.

Province Edward Island is encouraging programs of a local and regional nature. The Province of Ontario is funding the Oakville service which was mentioned in the original recommendation.

Unused Time: The President of CCTA felt that the association members would not object to broadcasting a radio reading service during the unused time on their community channels provided that the service was prepared and programmed by others.

The Committee recognizes the personal commitment that has been shown by officers at the Department of Communications, and feels that through their activity and lobbying with other authorities and organizations that the Department is supporting the intent of the recommendation.

53

AMEND COPYRIGHT ACT TO EXEMPT MATERIALS NEEDED FOR BLIND PROGRAMS

RECOMMENDATION: That the Federal Government immediately amend the Copyright Act to exempt from infringement the non-profit transcription into other media of reading materials for the use of visually and print-handicapped persons.

That this exemption specifically allow for broadcast both on regular AM/FM channels, and on cable, of newspapers and periodicals, within a reasonable delay following their appearance on newstands.

COMMITTED

Work Underway: The Minister of Consumer and Corporate Affairs reported that work is underway on amendments which will grant special treatment for non-profit transcription of reading material into other media.

Compulsory License: In July 1981, the Minister of Consumer and Corporate Affairs and the Minister of Communications commissioned an independent research study on exemptions. The study recommends a compulsory licence which will cover the transcription of materials, not only for the benefit of print-disabled, but for all persons with perceptual disabilities.

The Departments feel that this initiative is superior to the actions in the original recommendation of OBSTACLES, and has sent the research study to COPOH, the Coalition of Provincial Organizations of the Handicapped, for comment.

Cabinet Submission: The Minister of Consumer and Corporate Affairs is preparing a Cabinet submission based upon the research study, and the recommended changes are scheduled for completion by July 1982.

Quick Response: The Committee applauds these Ministers for their quick response to the recommendation and wishes to acknowledge that their work will assist an even greater number of disabled persons than was originally envisaged.

“The technical and organizational problems will be solved only when the broadcasters are totally committed to captioned programming as part of their regular service.”

54

CRTC TO REQUIRE CAPTIONED PROGRAMMING AS CONDITION FOR TV BROADCAST LICENSE

RECOMMENDATION: That the Federal Government request the Canadian Radio-television and Telecommunications Commission (CRTC) to require all television broadcasters, as a condition of their broadcasting license, to provide a significant amount of Canadian and imported captioned programming within a reasonable period of time.

COMMITTED:



Voluntary Route: The Minister of Communications is supportive of the objective of this recommendation, but feels that a voluntary route is preferable. He stated that "we should continue to encourage the broadcasters to move further in this direction of their own volition". The Minister also stated that he had asked the Chairman of the Canadian Radio-television and Telecommunications Commission (CRTC) for a reply to this recommendation. The response which came back is that the CRTC, also, prefers the voluntary route, and that the replies from broadcasters which had been received were generally favourable.

Approved Applications: CRTC has approved applications related to captioned programming which have been submitted by CBC, CTV, Ontario Educational Communications Authority, and Global Television.

CRTC is also questioning applicants which appear before it as to their intentions regarding captioned programming. This

practice began during the recent hearings which led to the approval of applications for pay-TV in Canada.

Canadian Programming: The CBC is taking steps to establish regular closed-captioned Canadian programming, with a goal of five hours per week in each language during prime time telecasting. The first closed-captioned Canadian program by the CBC was "Clown White" (Chanson sans parole) which was aired in late November, 1981.

Excellent: The Canadian Hearing Society felt that the Committee's original recommendation was "excellent", but suggests that the minimum should be 20 hours per week. The Canadian Co-ordinating Council on Deafness told the Committee that this recommendation is of "extreme and basic importance" to their clients.

Concerned: The Committee feels that CRTC has responded to the intent of the recommendation, but it is concerned about the use of voluntary compliance.

Therefore, the Committee would like there to be an assessment of the situation in 3 to 5 years to ensure that the voluntary route is really working. If it can be shown that it is, then the Committee is satisfied with the CRTC's initiatives. Otherwise, the Committee urges compulsory implementation in this matter.

55

ESTABLISH CAPTIONED PROGRAMMING CENTRE IN CANADA

RECOMMENDATION: That the Federal Government proceed immediately with the establishment or the funding of a centre to produce captioned programming in both official languages.

That the deaf and hearing-impaired community be fully involved in the management and the policy development of the centre.

IMPLEMENTED



Initial Consultation: In response to the OBSTABLES report, the Minister of Communications announced in May 1981 the appointment of an individual to consult hearing-impaired organizations, broadcasters, and cable representatives, about the establishment of a self-supporting Canadian captioning service.

Speed Essential: The organizations representing disabled persons had stressed the importance of this recommendation. The Canadian Co-ordinating Council on Deafness said that "Speed of implementation is of the essence" and did not feel strongly, one way or another, about who operates such a service. The Council did stress that any such service must involve hearing-impaired persons in its policy-making. The Canadian Hearing Society gave its full support to the recommendation and stated that it should be given the highest priority by the Government. The Society also feels that the service should be government-operated in order to provide the quality of service needed by its clients.

Establishment: After a year of consultation, the Minister of Communications announced shortly before this report was published that his Department would establish and fund a centre to produce Canadian captioned programming in both official languages. The Canadian Captioning Development Agency (CCDA), a non-profit private sector enterprise, has recently been incorporated with its head office in Montreal and a liaison office in Ottawa. The Department of Communications will provide start-up funding to CCDA of \$350,000 over its first three years in operation.

Full Recovery: The new Agency is expected to operate on a full cost recovery basis, and is scheduled to have Canadian captioning centres functioning in both Montreal and Toronto by the end of 1982.

Hearing-impaired individuals and organizations will be included on the CCDA Board of Governors.

Major Step: The Committee considers the establishment of this new agency to be a major step in increasing information and communication to hearing-impaired Canadians, and applauds the actions of the Minister of Communications for bringing CCDA into existence.



56

REDUCE TELEPHONE RATES FOR HEARING-IMPAIRED PERSONS WHO NEED SPECIAL TDD EQUIPMENT

RECOMMENDATION: Your Committee applauds the initiative taken by Bell Canada in proposing, and the Canadian Radio-television and Telecommunications Commission (CRTC) for approving on an interim basis, a 50% discount on customer-dialed intra-Bell long distance rates for hearing-impaired customers who need a teletypewriter (TDD) unit to communicate over the telephone.

Your Committee therefore recommends:

That all Canadian telephone companies be encouraged to apply for a similar rate reduction;

That the CRTC approve substantial rate reductions on a permanent basis;

That reduction be available to hearing-impaired persons whether using a residence or other telephone;

That the reduction be extended to the speech-impaired who also need a TDD unit to communicate over the telephone;

That provincial telephone regulatory agencies be encouraged to adopt a similar policy.

COMMITTED

Awaiting Study: The Canadian Radio-television and Telecommunications Commission (CRTC) is awaiting a Bell Canada user study, expected shortly, before determining the most appropriate rate reduction. The Bell study will cover individuals who have teletypewriters and presently receive a 50% discount.

Should Be 60%: The Canadian Co-ordinating Council of Deafness felt that the reduction should be increased to 60% and should apply for all users wherever the TTD is used. That is, it should also cover the relatives of the hearing impaired customers.

Initiatives: The Minister of Communications approached the President of Trans-Canada Telephone System (TCTS) requesting that the member companies be made aware of the OBSTACLES recommendation, and received assurances that this request would be carried out. The Minister also asked the provincial ministers of communications for support. Saskatchewan already has this policy in place, Prince Edward Island and Ontario expressed support, and other provinces passed the recommendation on to their telephone regulatory boards for consideration.

Commendable: The Committee feels that the Minister of Communications has shown strong support for this recommendation through his various initiatives, and commends him for his efforts.



57

SPECIAL TELEPHONE EQUIPMENT FOR DISABLED PERSONS BE PROVIDED UNDER BASIC MONTHLY CHARGE

RECOMMENDATION: That the Federal Government recommend to the Canadian Radio-television and Telecommunications Commission (CRTC) that special equipment required by physically disabled persons to facilitate their use of the telephone be included in the basic monthly charge.

That provincial telephone regulatory agencies be encouraged to adopt a similar policy.

COMMITTED

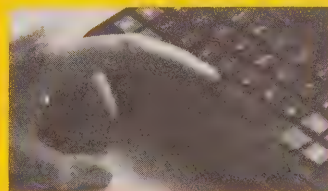


Awareness: The Minister of Communications wrote to the President of Trans Canada Telephone System (TCTS) asking that member companies be made aware of this recommendation, and received assurance that this would be done. The Minister also asked provincial ministers of communications for support, and received the following responses:

- The policy has already been implemented in Prince Edward Island and Nova Scotia.
- Alberta includes the costs of special amplifier phones in monthly tariff charges, and sells the Visual Ear at cost.
- Saskatchewan already has this program.
- Newfoundland will be proposing that such special equipment should be included in the monthly charge.
- Ontario feels that the recommendation is not specific enough to allow for realistic assessment of costs. More study is needed before giving

support to the recommendation.

Strong Support: The Canadian Co-ordinating Council on Deafness strongly supports this recommendation, and points out that the policy has been followed successfully for years by the Government of Saskatchewan. The Canadian Hearing Society feels that this is an important recommendation, and asks also that public phones should have volume controls.



The Canadian Radio-television and Telecommunications Commission will be reviewing rate proposals by Bell Canada during its summer hearings.

The Committee commends the Minister of Communications for his interest and support of this recommendation.

58

EQUIP FEDERAL OFFICES WITH SPECIAL TELEPHONE EQUIPMENT FOR DISABLED PERSONS

RECOMMENDATION: That Federal Government offices (Departments, Agencies and Crown Corporations) in major centres which are listed in the public telephone directory be equipped with at least one teletypewriter (TDD) such as the Visual Ear, in order to provide telephone access to hearing and speech-impaired persons.

COMMITTED

Each Major Source: Treasury Board has directed all agencies and departments under its authority to install and publish the phone number of a "Visual Ear" at each major source of public information. The Department of Transport purchased four Visual Ears for its employees. VIA Rail has a TDD (Telecommunication device for the deaf) in its Reservia system, and Air Canada and CN Marine plan to do the same.

Set Example: The Canadian Hearing Society felt that this was an "excellent recommendation" and would set an example for private sector organizations.

Frequent Use: The Public Service Commission (PSC) has such

telephones in each regional and district office and reports that "these are in frequent use".

Direct Access: The Committee welcomes the Treasury Board directive and feels that this initiative will increase the ability of the hearing-impaired population in Canada to gain direct access to government information and services. The Committee feels that the experience of the Public Service Commission, mentioned above, is a clear indication that the demand for this service exists in every part of Canada.

"The Committee believes that all Federal Government Departments, Agencies and Crown Corporations which are listed in the phone book should be equipped with teletype equipment. This will benefit all communication-disabled persons, both as members of the public and employees of these organizations."

“For persons who are hearing impaired, participation in conferences or cultural events is difficult because hearing aids amplify all sounds and do not discriminate between wanted and unwanted signals.”

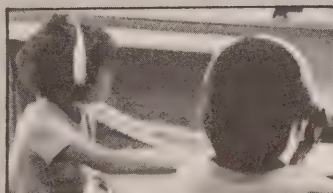
59

EQUIP FEDERAL CONFERENCE AND THEATRE CENTRES WITH SPECIAL EQUIPMENT FOR HEARING-IMPAIRED PERSONS

RECOMMENDATION: That the Federal Government require the installation of sound amplification systems (audio-loop, FM or infrared) in all of its conference and theatre facilities for the benefit of hearing-impaired persons.

That provincial and municipal authorities and private enterprises be encouraged to install this equipment in their facilities.

UNDER CONSIDERATION



Supportive: The Department of Public Works (DPW) is supportive of providing such equipment. DPW has undertaken studies to determine the best available system and to identify additional facilities where such an installation would be appropriate.

Parliament: A temporary system was built, at the Committee's request, for one of the rooms on Parliament Hill. This was later

designed into a permanent system by the Electronic Services Branch of the House of Commons. The technicians reported that the system was not difficult to build or install. The Canadian Co-ordinating Council on Deafness strongly supports this recommendation.

Acknowledged: The need for such systems has been acknowledged. Now is the time for action.

60

NATIONAL LIBRARY TO COORDINATE READING SERVICES FOR DISABLED PERSONS

RECOMMENDATION: That the Federal Government direct the National Library to proceed immediately with a program to coordinate reading services for visually and print handicapped persons.

IMPLEMENTED

300,000 Persons: On January 20, 1982, the Minister of Communications announced a \$175,000 program to be launched by the National Library to assist 300,000 visually and print handicapped persons. The program will do the following:

- Provide advisory services to individuals.
- Maintain a union registry of materials which are in production.

- Include a union catalogue of specialized materials, thus avoiding duplication of effort among Canadian libraries.

Much Needed: This is a much needed service and the Committee congratulates the Minister for making this a priority item. The announcement, however, is only a first step, and the program must now become a reality. The Committee would like to see and outline of the services and how they will be provided, in order to see how the program will be carried out.

“Provincial and municipal governments, as well as private institutions are eager to join a national program. The bulk of human and financial resources are already, or will be, provided at these levels.”

61

ESTABLISH CANADIAN INFORMATION RESOURCE CENTRE FOR DISABLED PERSONS

RECOMMENDATION: That the Federal Government, in co-operation with the Provinces and the private sector, assist in the establishment of a Canadian Information Resource Centre on Disability to link up and co-ordinate information resources and to assist regional showrooms of technical aids.

That, pending the establishment of such a Centre, the Federal Government prepare and publish a directory of federal programs and activities of interest to disabled persons, as well as a catalogue of relevant research projects and studies.

UNDER CONSIDERATION



Ways and Means: The Department of the Secretary of State is now studying options for the development of such an information centre.

Considerations are being given to the kinds of information needs as well to the use of various technological processes and devices (for example, a toll free telephone response service). By consulting with organizations of and for disabled persons, the Department intends to investigate ways and means of complementing the existing information infrastructure without sacrificing the concern to be responsive at the community level. A decision is hoped for this year, following further discussions with the provinces, the private sector, and voluntary organizations.

Federal Index: The Bureau on Rehabilitation at National Health and Welfare has prepared an index to Federal programs and services with respect to disabled persons. This material is scheduled to be published and

distributed by the Department of the Secretary of State by mid-summer 1982.

Directory: In co-operation with provincial governments and major national associations, the Department of National Health and Welfare has produced a series of provincially-based publications called the Directory of Rehabilitation and Related Agencies.

No Progress: Related to another point made in the recommendation, no progress has been made in the establishment of regional showrooms of technical aids.

Self-Help Impossible: The Committee appreciates the scope and complexity of the task called for by this recommendation. However, self-help efforts on the part of disabled persons is impossible without accessibility to information about services, facilities, programs and other forms of assistance to disabled persons. The Committee, therefore, urges the Federal Government to proceed quickly in establishing the Canadian Information Resource Centre on Disability.

“Federal Departments, Agencies and Crown Corporations keep the Canadian public well informed with a great variety of guides, periodicals, booklets, reports and studies. Unfortunately, most hearing and visually impaired and print handicapped persons cannot take advantage of this information.”

62

ENSURE ACCESS BY DISABLED PERSONS TO FEDERAL PUBLICATIONS

RECOMMENDATION: That the Federal Government adopt a policy which will ensure that the visually and print handicapped will have reasonable access to federal publications.

That, pending such a policy, the Federal Government initiate the following measures:

- Make available on cassette, in braille or large print, widely distributed publications such as the guide to federal income tax, guide to unemployment insurance, guide to the Canada/Quebec pension plans, and information on social service programs.
- Make available, where interest warrants, cassette copies of federal publications that have a more limited or specialized readership—for example, reports or studies.
- Make available, upon request, cassette copies of selected publications distributed free of charge by the Department of Supply and Services to public libraries.
- Make available, upon request, cassette copies of selected Canadian books which are distributed free of charge by the Canada Council to libraries and other community institutions.

IMPLEMENTED

1% Of Budget: In March 1981, following the publication of OBSTACLES, Treasury Board directed all Federal departments and agencies to assign up to 1% of total information budgets to the production of information in

special forms (Braille, large print, cassettes) for the benefit of disabled persons.

Ensure Availability: The Department of Supply and Services has made provisions to ensure that government publications are available in Braille or on cassette. DSS has also undertaken the development of source lists of handicapped firms and individuals for the use of customer departments.

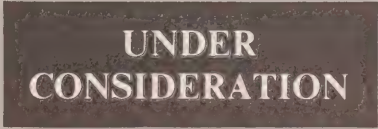
First Time: The Committee itself made cassette copies of OBSTACLES available to the public, and over 550 copies were distributed at the time this present report was published. As a result, the Committee received many positive comments about this initiative, the first time that a Parliamentary report had been produced in cassette form.

63

 PROVIDE CAPTIONED VERSIONS OF
GOVERNMENT-FINANCED FILMS

RECOMMENDATION: That the Federal Government instruct the Canadian Film Development Corporation that, beginning immediately, it will be required to provide, to the National Film Board, (NFB) for distribution to the deaf community, one captioned version, on video cassette if preferred, of each full-length feature film it finances.

That the Federal Government instruct all Departments, Agencies and Crown Corporations that, beginning immediately, they are to provide at least one captioned version of each film (English and French) which they produce to the NFB, for distribution to the deaf community.



UNDER CONSIDERATION



Extra Funding: The Department of Communications, the National Film Board (NFB), and the Canadian Film Development Corporation are studying this recommendation. The NFB has made a proposal to caption those films which are selected by hearing-impaired individuals and would distribute the films in French and English to the

hearing-impaired community. It is seeking Cabinet approval for extra funding.

Major Achievement: The Committee is very pleased with the major achievement of a Canadian captioning centre. The establishment of such a centre will facilitate the production of films for hearing-impaired Canadians. The Committee commends the NFB for drawing up its proposal and urges implementation of this recommendation.

“Many hearing-impaired persons are desperate for entertainment and information. Most feature films and educational films are of little use to these disabled persons unless the films are captioned.”

64

PRODUCE PAPER CURRENCY IDENTIFIABLE BY
VISUALLY-IMPAIRED PERSONS

RECOMMENDATION: That the Federal Government instruct the Bank of Canada to announce, before the end of 1981, its intention to begin production of paper currency identifiable by blind or visually-impaired persons.

COMMITTED

Alternatives: During 1981, the House of Commons Finance Committee examined the question of currency identifiable to blind and visually-impaired persons. It reported to the House of Commons in March 1982, (the Members of the Special Committee participated in the hearings) and, in particular, noted the importance of consultation in this matter. The Bank of Canada is currently examining alternative approaches in consultation with disabled consumers.

More Functional: At a meeting of the Finance Committee on February 11, 1982, the Bank indicated its intention in redesigning the next series of bank notes to give full consideration to making these notes more functional to those persons with partial vision by using distinct colours and larger images.

Blind Persons: The Bank is still examining ways to make currency identifiable to blind persons. The Bank has given its assurance that it will not impose a solution that is impractical for disabled consumers and that it will continue full consultation with disabled consumers at all stages in the development of an approach to making currency identifiable to blind persons.

Expectation: Throughout OBSTACLES, the Committee stressed the importance of consultation with disabled consumers. The Committee is, therefore, pleased by the approach that the Bank has taken in this matter, of consulting with those persons who would be affected by any changes. However, this process has resulted in the expectation that change will occur. Therefore, the Committee stresses the urgency of completing the examination of the various methods and urges the Bank to proceed as quickly as possible with implementation.



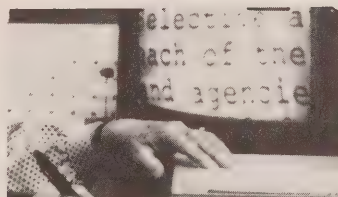
“Persons who are not disabled are generally not aware of the information needs and problems that are faced daily by persons who are disabled.”

65

ESTABLISH COMMITTEES TO ADVISE FEDERAL ORGANIZATIONS ON NEEDS OF VISUALLY AND HEARING-IMPAIRED PERSONS

RECOMMENDATION: That the Federal Government establish two advisory committees to advise Federal Departments, Agencies and Crown Corporations on matters of interest to visually and print-handicapped persons, and on matters of interest to hearing-impaired persons, to report to a designated minister other than the Minister of National Health and Welfare (see Recommendation 130).

**NOT
IMPLEMENTED**



Submit Proposal: The Department of the Secretary of State is identifying mechanisms by which disabled consumers could make their views known to government departments and agencies (see #101). The Department has asked COPOH (Coalition of Provincial Organizations of the Handicapped) to submit a proposal for consultative

mechanisms, and is awaiting a reply in this matter.

Participate: The Department of Communications has stated its willingness to “co-operate with and participate in such committees.”

Importance: Throughout OBSTACLES, and in the Follow-Up Report, the Special Committee stressed the importance of consultation. The Committee is pleased with the willingness of the Minister of Communications to establish a consultative mechanism. It also urges COPOH and the Department of the Secretary of State to act quickly in deciding upon a structure so that consultation by individual departments and agencies may proceed.

66

AMEND NATIONAL HOUSING ACT TO
ENCOURAGE INDEPENDENT LIVING

RECOMMENDATION: That the Federal Government amend the National Housing Act to enable groups to develop more non-profit, cooperative and group homes for physically and mentally disabled persons—including clusters of units in apartment buildings.

COMMITTED



Not Required: No legislative or regulatory change is required as The National Housing Act (NHA) does not restrict the development of non-profit co-operative and group homes. The Canada Mortgage and Housing Corporation (CMHC) has responded in the following way to the Committee's recommendation:

- **Consistency:** To eliminate confusion and inconsistent

practices regarding the application of the Maximum Unit Price (MUP) policy between regions in Canada, floor areas have been developed to allow for a more sophisticated calculation of MUP for such units. This information has been provided to all CMHC field staff who implement MUP policy.

- **Further Study:** The impact of high land costs in downtown locations requires further study which will be conducted through the remainder of 1982.

Shows Interest: The Committee is satisfied that CMHC is committed to assisting groups to develop non-profit co-operative and group homes. Through its actions the Corporation has shown its interest in the provision of accessible housing for disabled persons.

“Put simply, the existing legislation makes it impossible to build and maintain homes for disabled persons within the stipulated cost limits for non-profit housing.”

“Canadian architects and builders who have studied the problem agree that making a new house accessible for disabled persons costs very little more than normal construction—provided that accessibility is part of the initial design, not an afterthought.”

67

MAKE NEW FEDERALLY-FUNDED HOUSING ACCESSIBLE TO DISABLED PERSONS

RECOMMENDATION: That a percentage of new dwelling units constructed with federal funds or guaranteed by the Federal Government, be accessible to disabled persons as defined by standards to be developed by Canada Mortgage and Housing Corporation, and that these specially adapted units be integrated with regular housing units.

IMPLEMENTED

General Accessibility: Where Canada Mortgage and Housing Corporation (CMHC) is responsible for administering the non-profit and cooperative program, project sponsors will be required to provide general accessibility to the dwellings, and 5% of the units must be designed in accordance with “Building Standards for the Handicapped”.

Revise Guidelines: The Corporation has revised the program guidelines for Section 56.1 of the National Housing Act to reflect these changes, mentioned above. These guidelines cover the provision under which the interest write-down subsidy is made

available to co-operative and non-profit groups.

Key Obstacle: Many individuals who have appeared before the Committee, or made submissions, have identified the lack of accessible housing as a key obstacle to independent living. The Committee sees these initiatives by CMHC, especially requiring that 5% of units be built to accommodate disabled persons, as steps which will increase the supply of housing units. It should be noted, however, that in Recommendation #68 the Committee outlined the need for a revision to the “Building Standards for the Handicapped”. When these revisions are made, the Committee expects that the new standards would be applied by CMHC.

“The Committee urges CMHC to continue to push for standards which take into account the various needs of disabled persons. Furthermore, the Committee urges full consultation with representatives of disabled consumers and their organizations.”

68

DEVELOP HOUSING STANDARDS WHICH REFLECT NEEDS OF DISABLED PERSONS

RECOMMENDATION: That Canada Mortgage and Housing Corporation, in consultation with disabled persons and their organizations, continue to develop housing standards which take into account the various needs of disabled persons.

That the Federal Government request the National Research Council to include these new housing standards for disabled persons in the National Building Code.

UNDER CONSIDERATION



Need For Consultation: Canada Mortgage and Housing Corporation (CMHC) recognizes the need for continued consultation on building standards for the handicapped. The Corporation participates on the Associate Committee on the National Building Code and will work towards improved standards. CMHC will use its influence within the standards

system to draw attention to the need for further consultation on the development of standards for the handicapped.

Note: See also #81. The Associate Committee has set a target date of 1985 for revision of building standards for the handicapped community in Canada.

Various Needs: The Committee is pleased that the Associate Committee has set 1985 as the target date for the revision of these standards. The Committee urges CMHC to continue to push for standards which take into account the various needs of disabled persons. Furthermore, the Committee urges full consultation with representatives of disabled consumers and their organizations.

“The disabled groups are thus left in a no-win situation. Even when they are able to make headway, the myriad of regulations and statutes often wear out their resolve to follow through with projects.”

69

DIRECT CMHC TO PROVIDE FUNDING AND ASSISTANCE FOR HOUSING FOR DISABLED

RECOMMENDATION: That, in the absence of provincial initiatives, Canada Mortgage and Housing Corporation (CMHC), through its regional offices, give higher priority to the provision of assistance and start-up funds to groups of disabled persons developing housing projects and to organizations providing housing for mentally handicapped persons.

IMPLEMENTED



More Active: Canada Mortgage and Housing Corporation (CMHC) will be taking a more active role with sponsoring groups to explain the source and extent of funding for housing for disabled persons. Resource information related to project delivery has been distributed by the Corporation to Community Resource Organization Program groups and to CMHC staff members. A referral and information service on housing

for the disabled is being offered through CMHC's Canadian Housing Information Centre.

In another initiative, COPOH (Coalition of Provincial Organizations of the Handicapped) has been asked to prepare a consumer's information manual on housing alternatives for disabled persons.

Necessary Information: Disabled persons frequently have difficulty finding information about the assistance which they can receive for housing projects. This initiative by CMHC, and the information provided by COPOH, will assist disabled persons in obtaining advice and funding. The Committee wishes to commend CMHC for the steps already taken.

70

PROVIDE MORE FUNDS TO MAKE EXISTING HOUSING ACCESSIBLE

RECOMMENDATION: That the Residential Rehabilitation Assistance Program be amended to provide on a needs basis, grants, low or no interest loans to landlords, contractors, non-profit groups and individuals, who wish to renovate existing buildings, regardless of age or location, in order that they be more usable by disabled persons.

IMPLEMENTED

Extended: The Canada Mortgage and Housing Corporation (CMHC) has extended the Residential Rehabilitation Assistance Program, within its existing budget, to permit adaptations or renovations which will make a dwelling more usable by a disabled occupant. This measure will extend assistance outside of the areas originally designated under the Program. The Corporation also announced that it has prepared a pamphlet explaining these changes, and that this is now available to the public. COPOH, the Coalition of Provincial Organizations of the Handicapped has stated that it is very pleased with this amendment to RRAP.



Further Assistance: In the months ahead, CMHC has stated that it will now prepare for further assistance under RRAP for those disabled persons who require other repairs to their dwellings. Brochures and information have been distributed to CMHC offices, to consumer and advocacy groups, announcing

program changes for disabled persons.

The Corporation reports to the Committee that there has been significant activity resulting from the changes to the program.



An Extra Step: The Committee is pleased that these changes to RRAP will provide more housing for disabled persons. CMHC is to be commended not only for the speed with which it acted in implementing this recommendation, but also for the fact that the Corporation went one step further in providing more assistance than is called for in the original OBSTACLES report.

71

**MODIFY COST-SHARING AGREEMENTS TO PROVIDE
ADEQUATE RENT SUBSIDIES TO DISABLED PERSONS**

RECOMMENDATION: That the Federal Government negotiate with the Provinces to modify the cost-sharing agreements under the National Housing Act to give a higher priority to the provision of adequate rent subsidies to disabled persons.

**UNDER
CONSIDERATION**

Provincial Discretion: The jurisdiction which covers rent subsidies in Canada belongs to the Provinces, therefore, consultation is necessary to make improvements on behalf of disabled persons. Canada Mortgage and Housing Corporation (CMHC) has identified this consultation as one of its 1982 objectives.

Lengthy: The Committee recognizes that Federal-Provincial discussions are a lengthy and complex process and that some recommendations in the OBSTACLES report which depend upon such discussions require more time for their implementation. The Committee is pleased that CMHC had identified this recommendation for review during this year.

“Society benefits greatly from having disabled persons live at home, rather than in an institution. Society should therefore provide assistance so that these home care situations can continue.”

“Parents need a break from the strain that can result from constant attention to the disabled person’s special needs.”

72

ENCOURAGE GROUP HOMES FOR RESPITE CARE

RECOMMENDATION: That the Federal Government, through Canada Mortgage and Housing Corporation (CMHC), encourage new group homes, where practical or reasonable, to provide respite care services.

That, in view of the present trend towards deinstitutionalization, provincial and municipal authorities and community organizations be encouraged to adapt existing facilities, where practical, to provide respite care.

That provincial and municipal authorities and community organizations be encouraged to construct, where existing facilities are unsuitable or unavailable, hostel-type units to provide respite care on a temporary basis.

COMMITTED

Ensuring Loans: Canada Mortgage and Housing Corporation (CMHC) assists groups by ensuring loans through private lenders for the capital funding of non-profit or co-operative group homes, in which respite care units or hostel beds are provided. The Corporation also provides subsidies equal to an interest write-down to 2% based on agreed capital costs of developing the shelter component of a dwelling.

Provincial Responsibility: The funding of operations for the respite care component is a provincial responsibility and the project sponsor has the obligation of co-ordinating and securing the necessary care funding from the provinces (Note: Nova Scotia,

Quebec, Ontario and British Columbia do not have respite care programs).

Monitor Activity: CMHC monitors provincial activity in this area, and reports that there are no problems with assisting the capital funding of the shelter component of respite care units. This policy is now in effect and has been communicated to CMHC field offices across Canada.

Best of Ability: Although this recommendation was mainly directed to provinces and municipalities, CMHC has responded to the best of its ability. The Committee wishes to commend the Corporation for its efforts.

DR. DAVID C. SYMINGTON

Director
Regional Rehabilitation Centre
Kingston, Ontario

**"The obstacles facing
handicapped people
have been identified.
Now we must find
solutions without delay."**



The work of the Special Parliamentary Committee on the Disabled and the Handicapped has been the most significant event during the twenty-five years, that I have been deeply involved in working with disabled people in Canada. The obstacles facing handicapped people have been identified. Now we must find solutions without delay. To achieve this, I urge the Cabinet to take the following actions.

First, the Special Parliamentary Committee should continue to

function. It should monitor complaints, debate issues and ask questions of Ministers directly and in the House. The ability of this Committee to reach interparty agreement on many matters and to ensure accountability of Ministers in the House justifies its continuation on a permanent basis.

At the same time, I believe, we must have a Minister for Disabled Persons. One for whom this is a major commitment and with sufficient staff to promote the necessary interdepartmental co-operation. This Minister working in co-operation with the Parliamentary Committee should be in a strong position to bring about the necessary changes. The third component needed is a strong Advisory Committee consisting of disabled people, service providers, voluntary organizations and Provincial Government representatives. This should ensure adequate communication on all major issues, so that there is co-operation and effective action.

Handicapped people want action not rhetoric and we must plan a system that ensures this. I am firmly convinced, that a better quality of life is possible for all handicapped Canadians at lower cost through the provision of more appropriate services and a more efficient, co-ordinated responsive delivery system.

Lets get on with the job with a determination to succeed. Our society will be both strengthened and enriched in the process. ■

**"A better quality of life
is possible for all
handicapped Cana-
dians at lower cost
through the provision
of more appropriate
services and a more
efficient, co-ordinated
responsive delivery
system."**



ALLAN SIMPSON

Past-President
Coalition of Provincial
Organizations of the Handicapped
Winnipeg, Manitoba

**"I am increasingly
afraid that the
opportunity presented
by OBSTACLES
will be lost."**

When the OBSTACLES report came out in February 1981, we felt that it had the potential for being the Magna Carta for disabled persons in Canada. By that, I mean that it could represent a major turning point in the relationship between the disabled community and Canadian society in general. The document communicated a wholistic approach to the problems and concerns of disabled persons. For the first time, we felt that there was a real possibility for progress which was based upon the creativity and intelligence which disabled persons themselves are able to contribute to the solution of their own problems.

Today, I still feel that this possibility exists, but very few meaningful steps have been realized. I am increasingly afraid that we are in a crucial period where, if there is not a significant change in the attitude of government officials, the opportunity presented by

OBSTACLES will be lost. In COPOH, we feel that the bureaucrats in Ottawa, and the federal Cabinet, are not sensitive to the issues raised in the report. As a result, despite the radical departure in attitude which is articulated in OBSTACLES, we feel that we are being stonewalled by the various departments. If this opportunity passes without a fundamental change taking place in the way that bureaucrats deal with our concerns, then we will be set back for twenty years.

"These seven Members of Parliament were able to produce a uniquely valuable report because they met face-to-face with disabled persons."

The crucial step for us will be the establishment of a comprehensive orientation process within government which will continually sensitize the political and bureaucratic decision-makers to the needs and concerns of disabled persons. At present, this sensitization role exists only within the Special Committee, and that group will soon pass out of existence. In the opening pages of OBSTACLES, the seven Members of Parliament who comprised the Committee all wrote about the change in attitude which they had undergone as a result of conducting public hearings across Canada. This is what we mean by sensitization. These seven individuals were able to produce a uniquely valuable report precisely because they had met face-to-face with hundreds of disabled persons, and had examined many cost efficient and realistic recommendations.

We feel that the bureaucrats who are being asked to act upon the OBSTACLES recommendations are lacking in this kind of sensitivity and understanding, with rare exceptions, because of the lack of a comprehensive orientation process. They are approaching the OBSTACLES report with the same kind of fragmented, impersonal approach that is typical of bureaucratic operations. They have very little sense of the contribution that they are making, or the specific impact that their decisions and actions will have on the lives of hundreds and thousands of individuals. As a result, the subsequent programs and services which they initiate are as likely to create more problems as they are to solve the problems which already exist.

It is precisely because the problems of the disabled community have been approached over the past fifty years in a non-integrated, non-involved, simplistic manner by governments at all levels that so many of our problems have arisen and been multiplied.

I have made these points to support our request that the present Parliamentary committee structure be extended for at least the next two years. We feel that the committee, with members from all three parties, provides all Canadians with the most effective monitor within the government and within the federal bureaucracy. We have a great deal of reservation about the notion of a special minister for disabled persons, because we

see such an individual as being quickly co-opted by the government and the bureaucrats. We do not feel, even if he or she is dedicated to our issues, that such a minister will have the clout in Cabinet or the freedom to champion the rights and practical needs of disabled persons.

"There is a central issue — independent living, which means that disabled persons live as full citizens in the community."

There is a central issue which underlies all of the efforts which have been made in Canada on behalf of disabled persons over the past five to ten years. That issue is independent living, which means that disabled persons have the creativity and initiative to live as full citizens in the community — provided that they are supplied with basic resources and forms of assistance. That is what will serve the purposes, both of thousands of individuals who are now deprived of opportunities to lead useful lives, and also of the rest of Canadian society. We pay an enormous price in lost human resources and in lost tax dollars because the access to independent living is denied to us.

We have a lot of criticisms and a lot of concerns, but we are also deeply appreciative of the work of the Committee, and of Ministers like Monique Bégin who have consistently pressed for

improvements in government programs and services. In saying this, I would like to re-iterate how important the Human Rights Amendment is for the disabled community. We see this document as a symbol of the principle of independent living. We do not see that it will be applied stupidly and mechanically in the years ahead, but will provide a sensible and realistic guideline for opening opportunities for thousands of individuals who are presently restricted by the unthinking attitudes of employers, landlords and others who provide service to the public.

In closing, I want to emphasize that in COPOH we are seeking a partnership with the Government and with other agencies to bring about constructive, creative changes. We do not want to be militant because we have found that this costs us as many friends as it gains us. But if we feel that the OBSTACLES exercise has simply been a cosmetic strategy on the part of the Government to placate us, and put us to sleep, then we will have to become more vocal and strident. Until the Government, and the Canadian society as a whole, realizes that we are perfectly capable of providing all of the creativity and energy needed to change our own situation, then all the programs and policies based upon the old bureaucratic notion of one-way charity will undermine the spirit of co-operation which the Special Committee articulated in OBSTACLES. ●

NOEL DOUCETTE

President
Union of Nova Scotia Indians
Chapel Island, Nova Scotia

"The report means nothing unless the government begins to consult with Native leaders and their communities."

From the standpoint of the Native communities across Canada, there has been a great deal of interest in the Special Committee's Follow-Up Report. There are two things that are interesting to me about this publication. One, is that the seven Members of Parliament saw that it was necessary to produce a special report which just focused on the needs of disabled Native people. The other is that in considering these needs, the Committee found that it was only possible to do so in the larger context of what Native people, in general, need to improve their living conditions.

"We are happy that someone with influence is pointing out problems which we have lived with for generations."

To me, that is a very positive step forward. The report has been widely circulated throughout Canada, and I think that most of the people I have spoken to are satisfied with the content of the report, and the attitude of the Members that comes through in the recommendations. It's obvious that the Committee has seen some real deficiencies in the Government's policies and practice regarding Native communities. We are happy that someone with influence in the Federal Government is finally pointing out problems which we have lived with for generations.

I would also like to complement the Minister of Health for acting so quickly on the Committee's recommendation that more Federal funding be provided to combat alcoholism. The \$154 million which was provided earlier this year will have a major impact on our alcoholism programs in the near future.

Having said all of these positive things, I want to raise some unpleasant facts about the Government and its response to this report. We are afraid that like so many other good reports, the OBSTACLES follow-up will gather dust in most bureaucratic departments. We found, in making enquiries to the Department of Indian Affairs that the report had been barely read by key officials a month after its publication. We are happy with the \$154 million which was quickly provided by the Department of Health, but what about the action needed in the implementation of the other programs.

We see the current response to the report as a continuation of the attitude of benevolent dictatorship which has characterized the bureaucratic mentality for the past century. We find that Government officials don't want advice from anybody when it comes to

dealing with Native people. They tell us what we need, rather than asking. For them, the only goal is to get the job done, without finding out first what needs to be accomplished.

Government officials are using the word "consultation" a lot these days, but not many of them know what it entails. For the most part, it means getting acceptance from Native people for policies which are already decided in Ottawa. They don't give us time to consider what they are proposing. They don't ask for our input in the early stages. And they make no provisions for the fact that funding and expertise is needed

by Native people to decide many issues where large budgets are involved.

If I can use an analogy, the Government approach to consultation is like that of a dentist who pulls out all of your teeth before he asks which tooth is infected.

So, in spite of the good work of the Committee, I am afraid that in the end it may just raise a lot of false hopes in Native communities. We've seen other initiatives fade away after an initial enthusiasm. At the same time that the Committee was making these excellent recommendations for improving

the quality of life in Native communities, we learned that the Secretary of State had cut back all funds for recreation for Indian reserves across Canada. So, which part of the Federal message do we listen to? On the one hand, nice recommendations, on the other, the loss of an essential service?

Consultation is the key issue. The report means nothing unless the entire government, from Cabinet Ministers down, begins to consult with Native leaders and their communities on what is really needed, and follows the advice which the Native community provides. ■

"The Government approach to consultation is like that of a dentist who pulls out all of your teeth before he asks which tooth is infected."

BARBARA MacKINNON

Executive Director
Causeway Work Centre
Ottawa, Ontario

"We are very worried about what is going to happen after the Committee stops."

We see the Special Committee as the best thing that has happened for the psychiatrically disabled people in Canada. The Chairman and Members of the Committee have been particularly sensitive and positive to our position, and the report, *OBSTACLES*, gave a focus to the problems of psychiatrically disabled persons which we have never had before.

This is probably one of the most difficult areas of disability because there are no easy definitions for "psychiatric disability". Each person is unique, and there are so many diagnostic categories that it is difficult even for specialists to speak about it knowledgeably as an overall disability. The individuals themselves, because of their disability have not been able to be vocal advocates for themselves, nor have they been able to organize as easily as other disabled groups. So, they need strong supporters such as the Committee for their concerns to be heard at all.

We are very worried about what is going to happen after the Committee stops. This has been an opportune time for us to

articulate some of the key issues that we are working on, but we don't know whether there will be sympathetic politicians when the Committee is gone.

"For us, the biggest issue is employment. Employers have a much easier time dealing with physical disability than they do with one which is psychiatric."

For us, the biggest issue is employment. Employers have a much easier time dealing with physical disability than they do with one which is psychiatric. They don't know what to think about it, and so often they take the most defensive position. They are uncomfortable with the notion of hiring someone who has a history of psychiatric disability, because they don't want to deal with the unknown.

We have had individuals who have been hired without revealing that they were

psychiatrically disabled. They had as good a work record as anyone else, and their behaviour as far as fellow employees was concerned was nothing out of the ordinary. Yet, if these same people did reveal in their job application that they had this disability, they would probably not be hired.

Another problem related to employment is the interview and testing process that occurs in hiring. Many psychiatrically disabled people can handle the job, but not the hiring process. The thought of being tested and questioned by an employer, is too stressful. There should be a way of by-passing it for these individuals.

There is a deeper problem beyond employment, of general public attitudes. It is clearly a case with psychiatrically disabled people that they are blamed for their own problems, and yet almost everyone has the potential for having psychiatric difficulties, even briefly, at some time in life. Maybe this disability is too close to the thinking of most people, that they cannot deal with it. A physically



**“When a disability is
with our emotions, it
strikes closer to home.”**

disabled person we can keep at a distance from ourselves, because it is visual and classifiable. But when a disability is with our emotions and thoughts, it strikes closer to home, and that scares a lot of people.

Coming back to my original point, then, it is essential that psychiatrically disabled people have special advocacy in Government. This is an invisible disability and it is so easy to ignore. Thousands of Canadians

in this situation never had a voice until the Special Committee came along. We need this kind of voice to keep speaking for us when the Committee disbands. ●

RESPONSES TO "OBSTACLES"

The following pages provide a sample of the many responses to the committee's reports—**OBSTACLES**, the Follow-Up Report on Native Population, and the Special School Edition—which have been received during the past year from individuals, organizations, governments, and the media.

"The report of the Special Parliamentary Committee on the Disabled and the Handicapped may become the Magna Carta for Canadians with disabilities for decades to come."

"While the consumer movement will require time to study the many recommendations, first reading indicated that most of the major points raised by consumer groups all across Canada have been adopted. The report recognizes the need for effective national leadership—the National Will to recognize and establish the status of Canadians with disabilities as entitled to maximum independence, integration, and involvement in decision-making and community living."

Coalition of Provincial Organizations of the Handicapped

February 17, 1981.

* * * * *

"May your report have the audience it needs and deserves"

"We and our association will be drawing attention to your report, and hoping that your excellent work will be rewarded by as excellent a response to your recommendations. We feel that there is no good reason why changes cannot be made, except inertia and a choice not to listen."

Atlantic Conference On Learning Disabilities

* * * * *

"Very thorough"

"Congratulations on your committee's excellent report. The recommendations were very thorough and more than adequately meet the needs of our disabled citizens. Our only hope is that some of them will be implemented."

Canadian Paraplegic Association, New Brunswick Division

* * * * *

"Many of the needs of disabled Canadians have been identified"

"First of all, may we compliment you and your committee on the work put into this Report. We sincerely hope, now that many of the needs of disabled Canadians have been identified, that legislation or special concessions will be developed to alleviate the problems encountered by the various disability groups."

Canadian Council of the Blind

* * * * *

“If the recommendations were implemented it would be a huge step forward for hearing impaired people in Canada.”

“In February 1981, the Federal government published OBSTACLES, the report of the Special Committee on the Disabled and Handicapped. This 200-page report represents a major breakthrough in two ways. Philosophically, it sees equal access to services as a right of the handicapped, and sees full and equal participation in society as a goal. Its specific recommendations are permeated with this philosophy. Secondly, the needs of the hearing impaired are integrated throughout the report. It is really *the first time* that hearing impaired people have not been shortchanged by being put together with other handicaps.”

Canadian Hearing Society.

* * * * *



“Necessary and desirable steps”

“Hopefully, all these necessary and desirable steps will recognize the rightful claims of the disabled to a higher priority in the allocation of resources, that should translate itself into an improved quality of life, emphasizing ABILITY.”

The Canadian Association of Rehabilitation Personnel

* * * * *

“Completely unaware of the tremendous obstacles faced by the disabled.”

“Until the special committee began its work and produced its two reports, I was, like the vast majority of Canadians, completely unaware of the tremendous obstacles faced by the disabled. I was particularly struck by the section in the recent report dealing with “Facts of Life and Death for Native People”. There can be no doubt that the work the committee has done is the first step toward addressing the problems faced by *all* disabled Canadians.”

William J. Yurko, Member of Parliament, Edmonton East

* * * * *

“It is a fine contribution you have made”

“Everyone I have spoken with in the association agrees that the special committee is to be commended for what you have done in focusing the attention of Canadians on a wide array of what we see as opportunities to enable the disabled and the handicapped to participate in a more meaningful way in our society.”

Canadian Life and Health Insurance Association

* * * * *



"May I state how impressed I am with the quality of the Committee's report, and in particular with the breadth and depth of the treatment which the Committee has given to information and communications."

"As you are aware from my letter of October 13, 1981, I have brought the Committee's concerns and its report to the attention of my colleagues, the provincial ministers responsible for communications. At the recent Federal-Provincial Conference of Ministers of Communications, a joint communique was issued in which the Ministers declared their resolve to continue to work within their respective jurisdictions to improve handicapped Canadians' access to reliable communications services and facilities, including information and entertainment."

**Honourable Francis Fox,
Minister of Communications,
Canada**

* * * * *

"Particular attention to employment"

"As we have included a major equal employment strategy within the Metropolitan Corporation, it is our intention to give particular attention to those recommendations in OBSTACLES that relate to employment."

**Paul V. Godfrey, Chairman, The
Municipality of Metropolitan
Toronto**

* * * * *

"Most important aspect of this report"

"We consider that the most important aspect of this report lies in Section 20, Funding and Implementation (Recommendations 127-130). Before the end of the International Year of Disabled Persons (IYDP), it would be gratifying to see some positive results from this report; therefore, we suggest that it is imperative that immediate action is taken to implement these four recommendations, particularly Recommendation 130."

**Goodwill Rehabilitation Services
of Alberta**

* * * * *



"Clarifies a great number of issues"

"I find that the report OBSTACLES clarifies a great number of the issues related to disabled Canadians. It will provide many people with clear insights and goals to strive for in the future."

**Honourable Reuben Baetz,
Minister of Culture and
Recreation, Ontario**

* * * * *

"Comprehensive and far-reaching"

"The recommendations in the Report are comprehensive and far-reaching and with continued support, they will help to ensure that the positive spirit of this International Year will continue to grow."

Xerox Canada

* * * * *

"Lasting value"

"While particularly timely in this International Year of the Disabled, the insights provided by your report will, I believe, be of lasting value to a most important segment of our society."

**Honourable Peter S. Hyndman,
Minister of Consumer and
Corporate Affairs, British
Columbia**

* * * * *

"Really desperate for help"

"Let us hope that all your recommendations will be implemented, if not in the very near future, then, in time to come so that many who are really desperate for help may soon receive the encouragement and the supportiveness they need to carry on their endeavours and bring hope and fulfillment of their dreams."

**Margery H. Coughler, a blind
typist, Ottawa**

* * * * *

“Most positive step forward since I’ve been involved”

“Your Committee is to be commended for showing leadership in the field of mental illness. Recommendation 21 has to be the most positive step forward since I’ve been involved in this area (over ten years!). Indeed when the Federal Government approves this recommendation it should be as big a turning point in the rehabilitation of the mentally ill in the 1980s as was the advent of psychotropic drugs in the 1960s.

“Our congratulations to you and your Committee on a mammoth task well executed. Rest assured that the voluntary sector will play an active role with you in urging the Federal Government to expedite the approval of the report and the recommendations.”

Social Planning Council of Ottawa-Carleton

* * * * *

“A fascinating document and one which provided enlightenment for me despite my experience with handicapped children.”

“I want to express my sincere appreciation for the copies of OBSTACLES which were sent to my school. It was a fascinating document and one which provided enlightenment for me despite my experience with handicapped children over the past few years as an educator. “I distributed copies to my staff members and also to my students. Their reactions to the report are enclosed with this report. They are unedited and untouched; I thought you would find their responses refreshing and honest. These students are, after all, the citizens of the 1990 decade, one for which your government is attempting to plan.”

M.C. Johnston, Principal, Alder Point School, Alder Point, N.S.



* * * * *

Student responses:

“After I read all of the case studies, I felt very sorry for them and said because they must suffer a lot. I hope that they get good disability help.”

Willard Bonnar, Grade 6

* * * * *

“I felt after reading all the cases, I felt as if the handicapped people were not being treated good enough, like not being able to work as unhandicapped people are allowed.”

Sandy LeBlanc, Grade 6

* * * * *

“The story that had the greatest impact on me was the story of Joan Green. It had the greatest impact on me because she was very courageous to not feel sorry for herself although she couldn’t move. She was also very spirited to not feel that forsaken by God.”

Leah Theriault, Grade 6

* * * * *

“I feel that the disabled persons of this world should have more help than they get. And should be helped into the world not out.”

Darlene Dugan, Grade 6

* * * * *

“The story that had the greatest impact on me was the one about Melanie Wise because the troubles that she went through seemed criminal, unreal.”

Roxanne Pero, Grade 6

* * * * *

"Most advanced government move"

"The implementation of the recommendations contained in the Special Committee's report OBSTACLES would be the most advanced government move in meeting the problems confronting disabled and handicapped persons ever accomplished in Canada's history."

Canadian Rehabilitation Council for the Disabled

* * * * *

"Great deal of sensitivity"

"In your report, OBSTACLES, I believe you have given evidence of a great deal of sensitivity to the needs and aspirations of handicapped people. So we come here on this occasion not with the view that we are in the need of convincing you, particularly, of anything, but we may be able to supply you with fresh ammunition to carry on with the battles you have been waging on behalf of Canadians who live with a handicap."

Orville Endicott, Canadian Association for the Mentally Retarded

* * * * *



"Getting down to the basic, very difficult questions"

"We, as an association, have been very impressed with the quality of the report. Also, we have been very impressed with the persistency with which you have been willing to wrestle with what are, as you must becoming more and more aware of as you get into it, some very, very complex issues. We are most appreciative as an association for the persistence that you are showing in getting down to the basic, very difficult questions."

Gordon Morwood, Canadian Mental Health Association

* * * * *

"You will have the co-operation"

"Having read OBSTACLES thoroughly, I believe, just as you anticipate, you will have the co-operation and support of provincial and municipal governments in helping to implement its recommendations."

Honourable Patricia J. Jordan, Minister of Tourism, British Columbia

* * * * *

"Defined and addressed key issues for the first time."

"The OBSTACLES report and the follow-up meetings of the Committee with key government departments has, for the first time, defined and addressed key issues, and is hopefully laying the groundwork for action. The Canadian Mental Health Association has been encouraged by the ongoing interest and perseverance of this Committee to advocate for the psychiatrically disabled."

Canadian Mental Health Association.

* * * * *

"Help to direct future programs"

"OBSTACLES is a report that clearly identified the daily complexities of life for handicapped people. I am sure that it will help to direct future programs and services for disabled Canadians of all ages."

Honourable Charles G. Gallagher, Minister of Education, New Brunswick

* * * * *

"Useful and positive"

"The report of the Special Committee on the Disabled and the Handicapped presented to the House of Commons will provide a useful and positive focus for activity in this province."

Honourable Terence R. B. Donahoe, Minister of Education, Nova Scotia

* * * * *

"It is a pity"

"Thank you for the report OBSTACLES which you sent us earlier this year. The report is impressive, in many ways, and it is a pity that such fundamental and collective work has not been done in this country."

Olav Rand Bringa, Norwegian Handicapped Association

* * * * *

"Widespread recognition that it deserves"

"We trust that the Report will receive the widespread recognition that it deserves and that the practical recommendations that you suggest will be acted upon at the federal, provincial and organizational levels."

British Columbia Library Association

* * * * *

"We the handicapped are challenged"

"We the handicapped are challenged to prioritize and lobby for implementation of the more important recommendations found therein."

The Manitoba League of the Physically Handicapped Inc.

* * * * *

"A good end to the beginning"

"Congratulations on a job well done. The report is a good end to the beginning. Now we must work together for implementation."

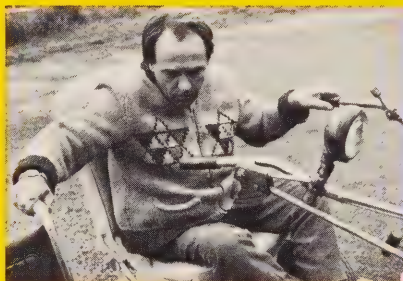
Canadian Paraplegic Association

"I wholeheartedly support the recommendations"

"As a forty year old disabled person (by polio at the age of four), I wholeheartedly support the recommendations as defined in OBSTACLES and challenge you as a public representative to see that they are incorporated into our Canadian way of life, constitutionally, legally and spiritually."

Douglas Bovee, Edmonton

* * * * *



"Extremely well done"

"The Executive Committee of the CCCD felt that the members of the Special Committee are to be complimented on their sensitivity and responsiveness to a very complex area of great need. The most pressing concern now is that the recommendations contained in OBSTACLES be examined quickly and put into effect. The CCCD is pleased to see that the life on the Special Committee has been extended to act as a kind of watchdog to encourage positive action on the part of those agencies, at least, which are under the control of the federal government."

Canadian Co-ordinating Council on Deafness

"Set the tone for 1981"

"The Special Parliamentary Committee on the Disabled and the Handicapped, which set the tone for 1981 with its challenging report, OBSTACLES, has recently produced two exciting documents designed to advance the cause of disabled people in Canada. The first, a streamlined School Edition of the original report, presents profiles of disabled people from across the country, together with brief summaries of some of the Committee's key recommendations in the areas of human rights, employment, information/communications, and independent living.

"The second document, published in December of 1981, is entitled 'Follow-up Report: Native Population.' It addresses the special problems of disability among Canada's Native peoples, and makes twelve hard-hitting, concrete recommendations on how the Federal Government can improve conditions and remove 'obstacles' to a better life. The Committee has been able to focus on the concerns of disabled native people without losing sight of the broader issues confronted by native communities in Canada."

Canada's Mental Health, March 1982

* * * * *

“The Follow-Up Report on Native People released yesterday by the Parliamentary Committee on the Disabled and Handicapped shows that the Committee was really listening to Indian people. They have captured the spirit and essence of what the Indian people were saying. All of the recommendations put forward by the Committee are very viable and if implemented will do much to improve the living conditions of handicapped and disabled Indian people.”

Del Riley, President of the National Indian Brotherhood.

* * * * *

“The Follow-Up Report is both well-written and documented. It is good to know that such efforts are being made on both federal and provincial levels.”

**Greg Stevens, Minister
Responsible for Personnel
Administration, Alberta**

* * * * *



“I believe the publication of your report is a tremendous step in the right direction. Hopefully, your sensitivity and compassion will be impressed upon all those who read the Follow-Up Report.”

**Office of the Minister of
Tourism, British Columbia**

* * * * *

"You are to be congratulated on the tenacity of your follow-up."

"I have read a number of the transcripts of your hearings with ministers as they have re-appeared after the report was issued. I think the fact that there is a follow-up, in itself, is really quite remarkable."

Patrick Johnston, Canadian Council on Social Development

* * * * *

"Overall, we are pleased with your report."

"However, we do feel that there are some major health and social problems which were not addressed which have significant impact on the lives of disabled native people. These include housing, environmental health, and nutrition. These are serious problems in many native communities, and have particular impact both as cause and effect on disabled native persons. We would have wished for some recommendations directed to these problems."

Arnold J. McCallum, Northwest Territories, Minister of Social Services

* * * * *

"Interesting, informative, vividly expressing the needs of disabled Native people."

"As with your first report OBSTACLES, this report was interesting and informative, vividly expressing the needs of disabled Native people. I comment the Committee for the extensive research and time put into these reports. Now that a report on disabled Native people's needs has been

submitted, the Federal government in co-operation with other levels of government, will be able to act on these recommendations."

Norm A. Weiss, Member of the Legislative Assembly, Alberta

* * * * *

"Logical and cogent"

"It has been the overriding concern of myself and my department to recognize ability rather than disability. As you have seen from my remarks, this is a very important program for us. You and your committee have set out a logical and cogent series of recommendations and, in the process, have provided a major impetus to those of us who are involved in trying to assist in fulfilling the needs and aspirations of disabled and handicapped persons."

Honourable J. J. Blais, Minister of Supply and Services

* * * * *

"The Follow-Up Report is a job well done."

"It meets the need for which it was intended, to focus attention on the needs of disabled Indian and Inuit people and to point up how and why the needs of this particular group have gone somewhat less noticed than have the needs of disabled people in our general population."

Office of the Premier of Newfoundland and Labrador

* * * * *

"The follow-up that the Government of Canada will give to your recommendations will be just as impressive as the report itself."

"I have followed with great interest the minutes of proceedings of your committee. Several of my colleagues in Cabinet have come to grips with some of the problems referred to in your report and which fall under their jurisdiction."

Honourable Donald Johnston, President of the Treasury Board

* * * * *

73

CUT RED TAPE FOR DISABLED GROUPS DEVELOPING HOUSING PROJECTS

RECOMMENDATION: That the Federal Government encourage Canada Mortgage and Housing Corporation, the Provinces, and municipal authorities to streamline their mandatory regulations and administrative procedures to reduce the administrative burden for groups of disabled persons developing non-profit housing projects and for organizations providing non-profit housing for mentally handicapped persons.

IMPLEMENTED

Improving Information: Canada Mortgage and Housing Corporation (CMHC) is prepared to assist non-profit groups by improving the information and technical advice that is available to them. The Corporation has developed a project delivery guide and training session for Community Resources Organization Program (CROP) groups and for the CMHC staff. CMHC has also distributed an information package to supplement this guide. The guide contains information on interpreting the guidelines of the social housing programs which relate to disabled persons.

Regional Workshops: The Corporation has also organized regional workshops for CMHC staff (architects, appraisers and inspectors), and these are scheduled to be held over the summer and early fall of 1982.

In one further move, CMHC has contracted COPOH (Coalition of Provincial Organizations of the Handicapped) to prepare a consumer's information manual on housing.

Frustration: Many groups told the Committee about their frustrations in trying to establish housing projects. CMHC has recognized these difficulties and has acted to cut the red tape. The Committee congratulates CMHC for working with COPOH in preparing this essential information for disabled consumers.

“Federal, provincial and municipal government agencies should coordinate their policies and procedures to reduce the bureaucratic burden on non-profit housing groups.”

74

ENCOURAGE MUNICIPALITIES TO IMPROVE ACCESSIBILITY AS PART OF INTERNATIONAL YEAR EFFORTS

RECOMMENDATION: That the Federation of Canadian Municipalities be encouraged to demonstrate support for the International Year of Disabled Persons by drafting and circulating to its members, model by-laws and programs respecting:

- Group homes
- Curb cuts
- Parking
- Access to municipal buildings and facilities
- Recreational facilities
- Affirmative Action

COMMITTED

Research: Canada Mortgage and Housing Corporation (CMHC) has initiated an external research project under Part V of the National Housing Act to address the issues set out in this recommendation. The project will look at the problems and solutions involved in making Canadian communities accessible to disabled persons, and the results of the research will be

released shortly. The Corporation is keeping the Federation of Canadian Municipalities aware of the progress being made in this research project.

Initiative: The Committee commends CMHC for its initiative in undertaking a recommendation which is directly concerned with the Federation.

“Many municipalities make it very difficult for disabled persons to lead independent lifestyles. Some municipal by-laws prohibit the establishment of group homes. Others reflect a very negative attitude toward any presence of disabled organizations.”

75

PROMOTE INDEPENDENT LIVING
OVER INSTITUTIONALIZATION

RECOMMENDATION: That the Federal Government promote a more suitable and cost-effective alternative to institutionalization by introducing enabling legislation for cost-sharing with Provinces and municipalities the provision of comprehensive services to assist disabled persons to live and function independently in the community.

That the proposed legislation include the following features:

- Independent living services to be made available to disabled adults by non-profit organizations which are managed by disabled persons or their representatives.
- Family support services to be made available on a sliding fee scale to assist families with a disabled dependent.

UNDER
CONSIDERATION

Not Prepared: Cabinet was not prepared to specify in advance any commitment of funds for contributions in support of expanded social services to disabled persons. Cabinet did authorize the Minister of National Health and Welfare to consult with provincial governments and the voluntary sector (including organizations of disabled persons) to obtain "costed options". Cabinet will then examine these "costed options" without prejudice later in 1982. At a meeting in February 1982, the Federal and Provincial Ministers of social services agreed to develop these costed options, with the Provinces agreeing to provide the Federal Government with data.

Autonomous: The Coalition of Provincial Organizations of the Handicapped (COPOH) does not want the development of independent living centres to be left to the current Federal-Provincial fiscal cost-sharing negotiations. The organization wants a negotiated process using new cost-sharing agreements. COPOH also wants the community boards of such centres to be autonomous groups not dominated by one agency or organization.

Not Transferred: The Canadian Mental Health Association

expressed concern that de-institutionalization is taking place, but funds are not being transferred into alternative support programs in the community.

Critical Issue: This matter is clearly an area of *Provincial Jurisdiction*. Notwithstanding, the Committee felt that the Federal Government should promote the concept of independent living through whatever means it could, including the use of pilot projects. Independent living had been identified throughout the public hearings as a critical issue and the Committee was sufficiently impressed by the need for independent living that it called upon the Federal Government to promote the idea with the Provinces.

In addition, the Committee called upon the Federal Government to finance some pilot projects in order to convince provincial governments of the value of independent living and to spell out more clearly the need for de-institutionalization. The Committee reiterates its original recommendation and once again urges the Minister of National Health and Welfare to commence negotiations with the Provinces, and to finance pilot projects.

76

 ESTABLISH FUNDS FOR DEMONSTRATION PROJECTS
IN INDEPENDENT LIVING

RECOMMENDATION: That the Federal Government, together with interested provincial governments, make a commitment in 1981 to assist in the funding and establishment of demonstration projects which would provide independent living services to disabled persons.

**NOT
IMPLEMENTED**

No Indication: The whole question of independent living is still under discussion within the Federal Government. There is no indication at publishing time that the Federal-Provincial consultations on costs will include any reference to demonstration projects.

Disappointed: The Committee firmly believes that independent living is the preferred route to go in encouraging the integration of disabled persons. It is disappointed that some demonstration projects have not been approved, as these would provide tangible evidence of the many benefits of the independent living concept. The Committee therefore, reiterates its recommendation that the Federal Government consult with the provincial authorities to establish such projects as soon as possible.

“Disabled persons themselves must play a key role in the development and management of these independent living programs. The success of existing programs depends greatly upon the sense of “ownership” felt and communicated by the disabled persons who helped to develop them.”

77

MAKE PARLIAMENT HILL COMPLETELY ACCESSIBLE

RECOMMENDATION: That the Parliamentary Complex be made accessible immediately to all disabled persons, both as visitors and employees.

That disabled persons and their organizations be consulted about the most appropriate ways to provide accessibility.

COMMITTED



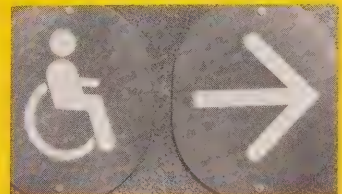
Past Two Years: Substantial renovations have been made on Parliament Hill during the past two years to provide accessibility to the buildings. The Committee felt strongly about the need to ensure access to these facilities and it, therefore, issued a report in October 1980 highlighting two recommendations on which it felt immediate action should be taken. One of these was access to Parliament itself. The Committee felt that it could not make recommendations to others without ensuring that its own facilities were accessible. The Committee then repeated this recommendation in **OBSTACLES**.

High Priority: The Department of Public Works has placed a high priority on making Parliament Hill a totally accessible and usable area for disabled visitors and employees. Among the renovations which it has made are the following:

- Accommodation for wheelchairs in both the House of Commons Gallery and the Senate Gallery.

- Installation of a lifting device to facilitate access to the Parliamentary Restaurant.
- Ramps to facilitate access to the Memorial Chamber and adequate elevator and ramps to the observation level of the Peace Tower.
- Curbs were depressed at sidewalks at various locations throughout Parliament Hill.
- Provision of parking spots for use by disabled persons.

The Department reported to the Committee that disabled persons were consulted before these renovations were undertaken.



More Needed: The Committee is pleased that so many renovations have been made on Parliament Hill. However, it would like to point out that accessibility must also include the visually- and hearing-impaired persons. The Committee urges further consultation with disabled consumers to identify where improvements can be made to assist those who have these disabilities.

“The Committee is concerned with accessibility in Government buildings because two-thirds of the space does not fall under the responsibility of DPW and its accessibility guidelines.”

78

NO FEDERAL FUNDING UNLESS ACCESSIBILITY IS ENSURED

RECOMMENDATION: That the Federal Government ensure that all public buildings constructed, renovated, leased or funded by the Federal Government be required, as a condition of funding, to be accessible as defined by the standard of accessibility developed by the Department of Public Works.

That the Federal Government expand its review process, to ensure compliance with the standard of accessibility, by:

- Approval of plans governing access to new buildings and facilities or major renovations to existing buildings and facilities;
- Monitoring compliance with these plans;
- Monitoring renovations (retrofitting) of existing buildings and facilities.

NOT IMPLEMENTED

Accessibility Standard: The Department of Public Works (DPW) has already applied an accessibility standard to its new buildings, as well as to the retrofitting of existing buildings. There are, however, other departments besides Public Works which hold property. DPW has entered into discussions with these other departments and agencies to examine cost and time estimates for making all Federal office accommodation accessible.

Two-Thirds: The Committee is concerned with accessibility in Government buildings because two-thirds of the space does not fall under the responsibility of DPW and its accessibility guidelines. There is clearly a need

for a central directive to ensure that all Federal space is accessible. This recommendation demonstrates the need for a minister for disabled persons who can push for such directives which effect a number of departments. At this point, there is no response by the Government that accessibility of Federal property will become mandatory.

Not Responded: The Committee regrets that the Federal Government has not responded to this recommendation to ensure that all Federal property will be accessible. The Committee reaffirms its original recommendation that no Federal funds should be expended unless accessibility is guaranteed. The Committee also reaffirms its position that the review mechanism to monitor accessibility be expanded.

79

1983 DEADLINE FOR SCHEDULE TO MAKE FEDERAL BUILDINGS ACCESSIBLE

RECOMMENDATION: That the Federal Government ensure that its buildings and facilities be upgraded (retrofitted) before the end of 1983 to the standards of accessibility developed by the Department of Public Works, and that heritage properties be made accessible whenever possible.

COMMITTED



450 Buildings: The Department of Public Works (DPW) has a program in place to retrofit existing buildings. This effort began in 1979 and by June 1980, 450 buildings had been completed. As of April 1982, 2168 buildings under DPW's responsibility had been modified. 1926 remain to be retrofitted. The Department feels that "realistically, the Retrofit Program will extend beyond 1983".

Major Undertaking: The Committee realizes that retrofitting of Federal buildings is a major undertaking. It commends the Department for its current efforts and encourages it to proceed as quickly as possible in completing the entire program. Not all Federal buildings fall under the responsibility of DPW, and the Committee is concerned about the implementation of this recommendation by other property holders in the Government. This recommendation again demonstrates the need for a special minister who will advocate the concerns of the disabled community to all departments in the Government.

"The Committee, while recognizing the validity of Parks Canada's mandate, nevertheless, feels that the principle of access for disabled Canadians includes access to heritage properties."

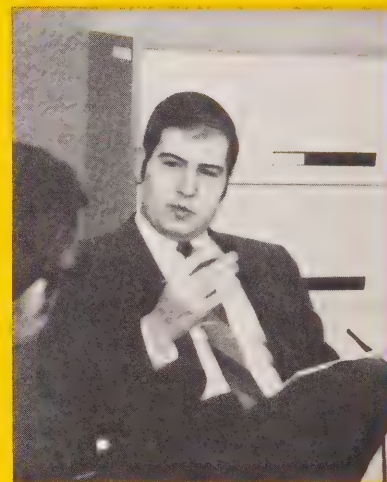
80

CONSULT WITH DISABLED PERSONS WHEN
UPGRADING GOVERNMENT BUILDINGS

RECOMMENDATION: That disabled persons and their organizations be consulted on a continuing basis by Federal Government Departments, Agencies and Crown Corporations undertaking construction or renovation projects concerning the most appropriate ways to provide accessibility.

IMPLEMENTED

Evaluations: The Department of Public Works has hired disabled advisors to carry out evaluations of accessibility projects. The Committee is pleased that the Department has endorsed the principle of consultation with disabled persons.



“Persons with a visual disability have great difficulty in using elevators in most buildings because there are no raised numbers to indicate which floor button to push, and no signal to indicate when the elevator car has reached the desired floor.”

81

REVISE THE NATIONAL BUILDING CODE IN CONSULTATION WITH DISABLED PERSONS

RECOMMENDATION: That the National Building Code be revised in consultation with disabled persons and their organizations to include comprehensive standards of accessibility for disabled persons including deaf or hearing-impaired persons and blind or visually-impaired persons.

UNDER CONSIDERATION



Target Date: The National Research Council has an Associate Committee on the National Building Code which has set a target date of 1985 for revision of safety standards for the physically handicapped. This committee has the following composition of members:

- 6 members of associations for the handicapped.

- 6 industry representatives.
- 5 regulatory agencies.

Long Overdue: The Canadian Council of the Blind says that such revision of safety standards is long overdue. The hearing-impaired community (represented by the Canadian Hearing Society and the Canadian Co-ordinating Council on Deafness) have emphasized that the code should address the needs of their clients.

Press Forward: Everyone agrees that changes are needed. The Committee welcomes the establishment of a target date of 1985 and urges all members of the Associate Committee to press forward with their work.

82

UTILIZE WINTER WORK PROGRAM TO MAKE BUILDINGS ACCESSIBLE

RECOMMENDATION: That the Federal Government reinstate a modified Winter Work Program to encourage Provinces and municipalities to make public buildings and facilities accessible to all.

That this Winter Work Program be financed out of current job creation and regional development budgets.

NOT IMPLEMENTED

Priority Activity: The status report tabled by the Secretary of State in December 1981 stated that "the intent of this recommendation can be addressed by making this kind of project a priority activity for funding through the Canada Community Development Projects". This program is operated by the Canada Employment and Immigration Commission (CEIC).

Target Groups: CEIC requires that an application for such a project include a hiring plan. Priority is given to those projects which plan to hire from target groups—women, native persons, disabled persons. Priority is also

given to projects which meet certain national and regional priorities. CEIC has included "projects by or for disabled persons" on this list. It does not necessarily mean, however, that these projects will involve improved accessibility for disabled persons.

Not Convinced: The Committee is not convinced that the intent of this recommendation has been addressed through the Canada Community Development Projects, because projects are not related to making public buildings accessible. The Committee still feels that the Federal Government can use its influence to encourage the Provinces and municipalities to make public buildings accessible. The Committee, therefore, asks the Federal Government to study this recommendation and to take further action.

"Since many of these buildings are under provincial and municipal jurisdiction, the Federal Government should encourage them to participate in this special employment program."

“A National Policy will make it easier for government, carriers, disabled persons, and their organizations, to agree on reasonable solutions to meet the needs of the mobility handicapped.”

83

PROVIDE REASONABLE ACCESS FOR DISABLED PERSONS TO ALL MODES OF TRANSPORTATION UNDER FEDERAL JURISDICTION

RECOMMENDATION: That the Federal Government direct the Minister of Transport to develop, in consultation with disabled persons and their organizations, and to publish a National Policy on Transportation for Disabled Persons, to provide reasonable access to all transportation modes under Federal jurisdiction. This policy should meet the objectives of standardizing tariffs, procedures, rules, regulations among transportation modes and lead to a greater rationalization of services, particularly between parallel and regular services.

COMMITTED

Federal Policy: The Department of Transport has prepared, in consultation with the disabled persons, a proposed Federal policy. It is now being sent to provinces, carriers, mayors, and disabled consumers for comment. In addition, the important activity of standardizing tariffs, procedures, rules and regulations is underway in the rail and ferry modes of transportation, is under study by the Canadian Transportation Commission for air travel, and is under study by the Canadian Motor Coach Association for the bus mode.

Concerned: The Committee commends the Department of Transport for developing this policy and for involving disabled consumers in its ultimate formulation. The Committee is, however, concerned about the length of time involved in this process, and urges the Department to proceed as expeditiously as possible.



84

ENSURE THAT MAJOR TRANSPORTATION TERMINALS ARE EQUIPPED FOR THE SPECIAL NEEDS OF DISABLED PERSONS

RECOMMENDATION: That, pending the adoption of a National Transportation Policy for Disabled Persons, the Federal Government, through the Department of Transport develop and implement a plan which will ensure that major transportation terminals (including air, rail and ferry) under its jurisdiction be reasonably accessible and, in particular, that all major terminals have accessible toilets, ticket counters, baggage lockers, restaurants, telephones, drinking fountains, audio and visual communication and information systems, elevators and ramps for movement between levels, and accessible parking areas.

That the Federal Government, through the Department of Transport, publish a schedule outlining its plan and schedule for achieving reasonable access to transportation terminals.

COMMITTED

Taking Place: Improved accessibility for disabled persons under Federal jurisdiction is taking place:

- The Department of Transport will spend \$2.2 million to provide basic access to 98 airport terminals, with a target date for completing this work of January 1983.
- VIA Rail will provide access to 40 major stations by 1985, with a total expenditure over that time of \$16-million.

Ferries And Buses: CN Marine has an advisory committee of disabled persons to aid in the identification of problems at terminals or ferries. Although bus terminals are generally owned by bus companies, the Canadian Motor Coach Association is

studying ways to provide better access to terminals.

Spillover Concern: This recommendation is strongly supported by consumer groups of disabled persons. The effect of the Federal initiatives may influence provincial actions. In Ontario, the March of Dimes urged that GO Transit be required to comply with Federal policy. But the Ontario Minister of Transportation expressed concern about the spillover effect of such a policy, namely, that there would then be a requirement to make subway stations accessible.

Wherever Possible: The Committee is committed to the principle of accessible terminals wherever possible. It is pleased with the efforts of the Federal Government, particularly in providing accessible airports and train stations.

“Access to transportation services can be difficult or impossible for disabled persons because some transportation terminals are not accessible.”

85

REQUIRE ALL GOVERNMENT-FUNDED TRANSPORT EQUIPMENT BE ACCESSIBLE TO DISABLED PERSONS

RECOMMENDATION: That the Federal Government ensure that all passenger transport equipment purchased or retrofitted with Federal funds be required, as a condition of funding, to be reasonably accessible to disabled persons.

UNDER CONSIDERATION

Retrofit: VIA Rail intends to retrofit some 150 rail diesel cars with train-based lifts. The corporation also announced that its new LRC cars are accessible. CN Marine equipment will be accessible. A committee to assist in the design of new equipment includes disabled persons.

Expressed Concern: At a hearing with the Committee, the Department of Transport expressed concern about the Committee's definition of "reasonably accessible". In its report, the Committee suggested that "reasonably accessible" means that the disabled person can enter the vehicle and be properly seated without assistance. The Committee intended this definition to serve as a guideline.

Provincial Control: The Department of Transport also pointed out that Federal funds may be used to purchase equipment for provincial transportation facilities, but control over the disposition of these funds rests with the Provincial Governments. For example, Federal funds are promised for refurbishing Montreal commuter services, but disposition is up to the Quebec Government. In such cases, the Federal Government can request that accessibility be considered,

but it cannot insist upon this without jeopardizing the program.

Critical: The Ontario Minister of Transportation was critical of this recommendation, stating that the Federal Government funding should not override the concept of "optimum local solution", which means simply that funds will be used in the best interests of the majority of local people.

Attaching Conditions: The Committee is fully committed to the principle that all levels of government should obtain transport equipment that is "reasonably accessible" to disabled persons. In order for disabled persons to live independently in the community, certain measures must be taken such as reasonably accessible transport equipment. The Committee, in investigating the various levers which the Federal Government might have to facilitate the use of such equipment, decided to recommend attaching conditions to the disposition of Federal funds. The Committee feels that its position does not place unnecessarily stringent conditions on the operation of a program. Furthermore, all programs for the purchase of transport equipment should recognize the importance of reasonably accessible equipment.

86

REQUIRE ROADCRUISER BUSES IN NEWFOUNDLAND TO HAVE WHEELCHAIR LIFTS

RECOMMENDATION: That the Federal Government request the Canadian Transport Commission to require the Roadcruiser bus service in Newfoundland to provide a mechanical facility or a service for lifting people in wheelchairs on and off the vehicles.

UNDER CONSIDERATION

Manual Lifting: Roadcruiser Service adopted a policy of manual lifting on June 1, 1981. At a hearing in the Spring of 1981, the Minister of Transport stated his support for this recommendation, with modifications. He was looking at options for providing maximum access—for example, a regular bus with mechanical lift or a parallel service.

Public Input: The Canadian Transport Commission agreed to hold hearings in nine Newfoundland cities and towns to gather input from the public. The meetings were held in September 1981, and a report submitted to the Minister in December 1981 offered the following recommendations:

1. That an Advisory Committee be formed made up of representatives of the disabled as well as representatives of the Newfoundland and Federal Governments, Roadcruiser personnel and others.
2. That the Advisory Committee oversee the implementation of improvements into the existing Roadcruiser buses including the use of a Washington Chair (a special narrow wheelchair).
3. That there be implemented, on an experimental basis, a new

bus service for both the able-bodied and the disabled, the service to be designed around the travel needs of the disabled and closely monitored by the Advisory Committee.

4. That the Department of Transport and the Canadian Transport Commission personnel continue to monitor new technological improvements for inter-city buses.

Imposed Duty: The Motor Vehicle Transport Committee which has jurisdiction over the Roadcruiser Service also ruled that "a program that will improve bus transport for Newfoundland's disabled is an 'imposed public duty' in respect of Roadcruiser or any other inter-city bus line and required, therefore, compensation as called for by Parliament in Section 3(c) of the National Transportation Act.

Further Indication: The Committee is pleased that the Department of Transport has agreed to improve existing services. The Committee, however, would like further indications of exactly what improvements are being planned and when these will be implemented. The Members urge the Department of Transport and the Canadian Transport Commission to get on with implementation.

87

EXEMPT PURCHASE OF ACCESSIBLE BUSES FROM SALES TAX

RECOMMENDATION: That the Federal Government direct the Department of National Revenue to exempt the purchase of accessible intercity buses from the Federal sales tax to encourage the development of an accessible intercity bus service across Canada.

IMPLEMENTED

The Excise Tax Act now exempts the following:

- Buses holding 12 or more people.
- Vans to be used for transportation of disabled persons.
- Any modifications to new intercity buses.

- Any modifications in excess of \$2,000 to an old bus.
- Hydraulic lifts for vans and buses.
- Parts and equipment on new bus or van.
- Hand controls for cars.

Encourage Use: Such exemptions will encourage the use of accessible equipment. The Committee is pleased by the response of the Federal Government and urges provincial governments to follow suit.



88

REQUIRE AIR CARRIERS TO CHARGE ONLY ONE FARE FOR DISABLED PERSON AND ATTENDANT

RECOMMENDATION: (A) That the Federal Government, through the Minister of Transport require that air carriers adopt a policy of accepting the disabled traveller's estimate of his/her self-reliance, without medical certificates or waivers of disability.

(B) That, where necessary, boarding assistance be provided by carriers.

(C) That where an attendant is required to care for the personal needs of a disabled traveller, that attendant will travel free.

(D) That where more than one seat is required for the transport of a disabled person for various reasons arising from his/her disability, only one fare will be charged for that traveller.

(A) IMPLEMENTED

Self-Reliance: Since February 1981, tariffs filed with the Canadian Transport Commission provide that, as a general policy, the passenger's declaration of self-reliance will be accepted without the need for medical certificates or waivers. The Committee applauds the air carriers for their effort to support the independence of disabled air travellers by removing the use of certificates and waivers.

(B) IMPLEMENTED

Provided: Boarding assistance is now being provided by the carriers. VIA Rail now supplies boarding assistance at 13 stations, and this will be extended to 40 within three years. CN Marine and Newfoundland Roadcruiser offer some assistance. The Committee is pleased that these carriers are recognizing the special needs of disabled travelers.

(C) IMPLEMENTED

Discriminatory: The Air Transport Committee of the Canadian Transport Commission ruled on March 2, 1982 that the practice of charging for an

attendant was discriminatory. "It is the Committee's opinion that the financial burden imposed on a handicapped person by requiring that person to pay for the seat occupied by an attendant who, in accordance with the air carrier's tariff must accompany the handicapped person, constitutes "unjust discrimination" against that handicapped person."

Procedures: The Air Transport Committee feels that further study of administrative procedures, for example, the method of identifying handicapped persons, is required before implementation of the decision is ordered. At a meeting of the Special Committee, the Vice-President (Research) of the Canadian Transport Commission estimated that the increased cost for free travel for an attendant would be 0.2%. He favoured including the cost in the tariff rather than the use of a subsidy which could be eliminated.

Embraced By All: In OBSTACLES, the Committee agreed that the principle of responsibility should be embraced by all Canadians. "All Canadians are responsible for the necessary changes which will give disabled persons the same choice of participation that are enjoyed by those who are not disabled."

Share Costs: In the case of recommendation 88 (C), the Committee felt strongly that all travellers should share the costs incurred by the special needs of

disabled persons. The amount involved is not large and does not constitute a financial hardship for an individual traveller. The Committee is pleased by the findings of the Air Transport Committee and urges the Special Advisory Panel on Transportation of the Canadian Transport Commission to act quickly in devising administrative procedures to implement this recommendation.

(D) COMMITTED

Unreasonable: The Air Transport Committee of the Canadian Transport Commission ruled on March 2, 1982 that the practice of requiring an obese person, who needs more than one seat to pay 50% in addition to full fare is both "unjustly discriminatory" and an "undue or unreasonable prejudice or disadvantage". The Committee further stated: "...it is the airlines which ultimately decide on the design of the seats provided for the passengers; the obese, as part of the public, are not presently being satisfactorily accommodated by those seats."

Advance Notice: The Air Transport Committee felt that further study of administrative procedures, for example, criteria for allowing an obese person more than one seat, and the amount of advance notice required for this, is required before implementation of the decision is ordered.

Separate Case: The Air Transport Committee believes that the case of handicapped persons who can only travel on a stretcher is a separate matter, and it has not yet ruled on it.

Extreme Expense: The Special Committee is pleased with the findings of the Air Transport Committee with respect to obese travellers. It urges quick action in resolving the administrative problems involved in its implementation. In addition, the Special Committee urges the Air Transport Committee to examine the case of disabled travellers

who must use stretchers, because these persons must now pay three air fares for the stretcher and one for the attendant. Joan Green, whose profile appeared in OBSTACLES, told the Members of the Committee about the extreme expense involved in travelling because of these additional fares.



89

PROVIDE WHEELCHAIRS AND BATTERIES AT AIRPORTS

RECOMMENDATION: That the Federal Government request the Canadian Transport Commission (CTC) to require air carriers to have available at airports, a few wheelchairs and batteries, to be loaned to disabled passengers in case of loss or severe damage, and to require air carriers to reimburse, at replacement cost rather than purchase price, owners of lost or severely damaged wheelchairs.

COMMITTED

Study Situation: At a hearing in the Spring of 1982, the Canadian Transport Commission and the Department of Transport agreed to study the situation. The Air Transport Association of Canada's Committee for the Carriage of Disabled recommended to the air carriers that:

"under the rule covering baggage liability, the following be inserted:

1. In cases of damaged or delayed mobility aids, e.g., wheelchairs and walkers, carriers will obtain a temporary replacement without undue delay while the passenger's mobility aid is being repaired or returned.
2. When passenger's mobility aid is damaged beyond repair or permanently lost, the carrier will replace, without regard to normal limitations of liability, at the current cost."

New Tariff: Air Canada's new tariff which has been filed with the Air Transport Committee reflected item #2. It is anticipated that the other carriers will follow this example. Item #1, temporary replacement, is still under discussion by the carriers.

Essential: For members of the travelling public who use wheelchairs, it is essential that these wheelchairs arrive promptly and intact at their destination.

The Committee is pleased that the Air Transport Association of Canada has acknowledged the importance of ensuring the prompt arrival of wheelchairs.



Lost Or Damaged: The Committee commends Air Canada for including in its new tariff reference to replacement at current cost of lost or severely damaged wheelchairs. It urges other carriers to act quickly in adopting a similar tariff. The question of a temporary replacement is of crucial importance. Therefore, the Committee urges all carriers to act quickly to resolve the difficulties in implementing part #1 of this recommendation.

“Automobile travel constitutes 85% of all passenger trips for disabled persons. The lack of adequate, accessible parking spaces, therefore, causes a severe limitation on mobility.”

90

IMPLEMENT UNIFORM PARKING POLICY FOR DISABLED PERSONS AT FEDERAL FACILITIES

RECOMMENDATION: That, where the Federal Government has jurisdiction over parking, such as at some transportation terminals, national parks or at federally-owned public buildings, a uniform national policy be developed which will ensure reserved parking facilities for disabled drivers and passengers close to entrances with proper signage and clearly-defined penalties for infraction.

That a national system be developed for identifying vehicles driven by disabled drivers so that unauthorized vehicles can be ticketed.

UNDER CONSIDERATION

Identification System: Treasury Board is developing a parking policy for Federal employees and the visiting public at all federally-owned buildings. The Department of Transport supports this recommendation and has asked VIA Rail and CN Marine to have sufficient parking for disabled persons. However, it is difficult to enforce any parking policy without a system of identification of vehicles. The Department of Transport reports that provincial ministers of transportation have agreed to support the development of a national system but progress is slow.

Nova Scotia: In November 1981, the Province of Nova Scotia issued special license plates to identify vehicles. The Regional Municipality of Ottawa-Carleton uses identity cards to be placed on the windshield of any vehicle in which a disabled person is a driver or passenger.

Some Action: The Committee is pleased to see that some action is taking place, but it urges the Government to move more quickly in responding to the needs for parking spaces for disabled persons. Everyone agrees the need is there, now is the time for action. The Committee also urges the Minister of Transport to take the lead in initiating discussions with provincial counterparts on a national identity program.

“The Federal Government should establish a loan program, similar to Student Loan Program, which will enable disabled persons to alter their vehicles and pay for the costs over a period of time.”

91

ESTABLISH FUND TO ALTER AUTOMOBILES FOR USE BY DISABLED DRIVERS

RECOMMENDATION: That the Federal Government negotiate with the Provinces a cost-sharing agreement to establish a fund similar to the Student Loan Program to assist disabled drivers in the retrofitting of personal vehicles. The fund should be a finite sum of money set aside specifically for this purpose.

UNDER CONSIDERATION

Not Transportation: The Department of Transport feels that this recommendation properly belongs under rehabilitation as it is a “social” service, not a transportation service. At present, the alteration of automobiles can be financed under the Canada Assistance Plan or the Vocational Rehabilitation of Disabled Persons Act, under **certain** circumstances, namely, for students who require cars for educational purposes.

Costed Options: The Minister of National Health and Welfare is including this topic in the Federal-Provincial consultation

on developing “costed options” for employment services, technical aids and improved social services for disabled persons. Information on costs of such programs will be presented to Cabinet by the autumn of 1982.

Independent Living: The Committee is pleased that the Minister has included this subject in the list of services for disabled persons to be discussed in the Federal-Provincial study. The Committee urges the Department of National Health and Welfare to give serious consideration to the various services which come under the general heading of “independent living”.

92

DIRECT MORE TRANSPORTATION FUNDS TO DISABLED PERSONS IF UTAP IS CONTINUED

RECOMMENDATION: That, in the event that any future initiatives or expansion of the Urban Transportation Assistance Program (UTAP) is undertaken, the Federal Government instruct the Minister of Transport to direct a specified portion of the funds to the transportation needs of disabled persons.

**NOT
IMPLEMENTED**



Unlikely: The Department of Transport has told the Committee that "a further program of federal urban transportation financial assistance is unlikely". The current program is based upon allowing provinces to have flexibility in selecting projects. The Department of Transport cannot order the provinces to spend money in a particular way.

Criticized: The Ontario Minister of Transportation criticized the recommendation, saying that "diversion of funds to the disabled area would dilute the amount available for railway grade separations". He felt that if new funds were available, these should be channelled through the Province.

Take Into Account: The Committee is disappointed that the Government is unlikely to expand the UTAP program. The Committee reiterates its position that in any future urban transportation finance assistance program that the transportation needs of disabled persons be taken into account.

"Since UTAP began, more than \$101,000,000 in projects have been approved. The request for monies must come from a Province, but so far only \$160,000 has been requested for transportation for disabled persons."

93

 PROVIDE GREATER RECREATIONAL PROGRAMS AND
 INFORMATION FOR DISABLED PERSONS

RECOMMENDATION: That Federal Government Departments and Agencies such as Parks Canada, National Museums of Canada, National Government Office of Tourism, and the National Capital Commission, which provide or promote leisure activities, give high priority to making their services and programs available to disabled persons.

UNDER CONSIDERATION

Accelerate Program: The Department of the Environment has a program to retrofit buildings in order to provide accessibility to disabled persons. The Department will now accelerate this program. The Department also provides services and facilities for disabled persons which are integrated with those provided to the general public. Special and continuing projects addressing the concerns of disabled persons were initiated at over 30 locations during 1981. There has been an increased effort to inform disabled persons about these programs.

Special Edition: Fitness and Amateur Sport Canada has funded a special edition of **Recreation Canada**, the publication of the Canadian Parks/Recreation Association, which stressed leisure activities for persons with disabilities, and emphasized the variety of integrated programs which are available, along with information on planning programs.

Strong Commitment: The Committee commends the Department of the Environment and Fitness and Amateur Sport for their initiatives, but the Members would also like to see a strong commitment of support from the various Federal departments and agencies which offer leisure activities.

“Any facility open to the public, which is funded by the public, should be accessible to disabled persons—unless this is practically impossible. This is a basic civil right and takes priority over any other consideration.”

“One of the biggest attitudinal obstacles that disabled persons must overcome is the myth that they cannot participate in physical activities, especially in sports.”

94

INTEGRATE DISABLED PERSONS INTO EXISTING SPORTS ACTIVITIES

RECOMMENDATION: That steps be taken to encourage the integration of disabled persons into sports governing bodies where appropriate, along the lines recommended by the national symposium on Sport Integration for the Physically Disabled held in September 1979.

COMMITTED



Policy Review: Fitness and Amateur Sport supports the principle of integration, and a policy review by that organization will reflect this commitment in the following ways:

- Sports organizations of the disabled will be encouraged to directly access services provided by national sports organizations to the able-bodied.

- Able-bodied sport organizations will be encouraged to provide services to the disabled sport associations.
- The Athlete Assistance Program will be modified to include specific provisions to assist disabled athletes.

Importance: The Committee is pleased with the Federal initiatives. Several groups stated to the Committee, during its regional hearings, that recreational opportunities are of great importance to disabled persons, and the Committee encourages the Federal Government to emphasize accessibility in all of its sports-related policies.

95

DEVELOP MATERIALS ON DISABILITY FOR TEACHER TRAINING COURSE

RECOMMENDATION: That provincial ministries of education be encouraged to develop, for use in teacher training programs, course material and teaching aids about physical and mental disability.

NO JURISDICTION

Note: The development of materials on disability for teacher training is generally not a Federal responsibility. However, the Department of National Health and Welfare provides technical and financial support to a number of special projects which address the intent of this recommendation. The

Department co-operates with several voluntary agencies which have, as one of their objectives, the production of teacher training and general educational materials.

Associations of and for disabled persons strongly support this recommendation, particularly as the number of integrated classes increases.

96

ENCOURAGE PROFESSIONAL SCHOOLS TO LEARN ABOUT DISABILITIES

RECOMMENDATION: That professional schools and faculties be encouraged to include course material about disability, particularly learning disability and mental illness.

NO JURISDICTION

Note: This recommendation falls under provincial responsibility. There has been strong support from associations, although the NWT Association for Children with Learning Disabilities felt that the recommendation was not strong enough.



97

ESTABLISH SIGN LANGUAGE DEPARTMENT IN BOTH LANGUAGES AT UNIVERSITY

RECOMMENDATION: That the Federal Government direct the Department of Secretary of State to encourage the Canadian Council of Deafness and its affiliates to initiate the establishment of an accredited sign language department at an English-speaking and French-speaking university which would:

- Recognize that sign language is a distinct language and assist the development of curriculum and standards for credit courses to be taken by hearing persons similar to other language courses.
- Provide sign interpreters for a variety of courses which will enable deaf students to follow regular courses.

COMMITTED



\$30,000 Grant: The Department of the Secretary of State has awarded a grant of \$30,000 to the Canadian Co-ordinating Council on Deafness to initiate an Advanced Sign Language Studies Program at the University of Ottawa. The program will be in place by mid-1982.

Excellent Proposal: This proposal has received strong support from the deaf community in Canada,

and elsewhere. The President of Gallaudet College, a specialized facility in Washington, D.C., which has provided higher education for hearing-impaired persons for over 100 years, wrote that this recommendation was an "excellent proposal" and offered to share his experience and expertise in such an endeavour.

Shortage: The Committee is pleased that the Department of the Secretary of State has acted upon this recommendation. Throughout its regional hearings, the Committee utilized the services of sign interpreters so that deaf persons appearing before the meetings could participate fully. The Committee realized that there was a shortage of interpreters in Canada and feels that the implementation of this recommendation will help to overcome this shortage.

"Thousands of very intelligent, but hearing-impaired individuals are cut off from any kind of higher education simply because they face a communication barrier."

98

PROVIDE AIDS TO HELP DISABLED PERSONS LIVE INDEPENDENTLY

RECOMMENDATION: That the Federal Government negotiate a cost-sharing agreement with the Provinces to provide a comprehensive range of aids; designed or modified to compensate for the effects of a disability, or to enable an individual to live as independently as possible in the community and that:

- These aids and devices should be provided by the Provinces, preferably as part of their insured health services, to disabled persons who need them;
- Expensive aids and devices, including those for visually and hearing impaired persons, should be provided to disabled persons who need them on a loan basis and remain the property of the Provinces, which will also be responsible for their maintenance.

COMMITTED

Providing Aids: Cabinet has authorized the Minister of National Health and Welfare to get "costed options" for providing aids to independent living. The Federal and Provincial Ministers agreed to supply data for this study. In the meantime, the Department of National Health and Welfare will consult with disabled consumers.

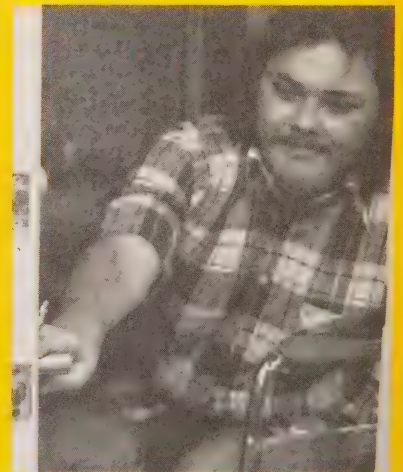
In Need: When questioned about financing a program for aids and devices, the Minister indicated that she did not see such a program as falling under the Established Programs Financing Act, under which medicare is financed.

Rather she sees such a program as coming under the Canada Assistance Plan (CAP) or Vocational Rehabilitation of Disabled Persons Act (VRDP). These are cost-shared with the Provinces and a province must initiate a program. But CAP and VRDP are limited in terms of the people they can help. To qualify under CAP, for example, one must be "in need" or "likely to be in need". The Minister does not plan to change the basic philosophy of the funding of these programs, and again stresses that the Provinces must take the initiative.

Discrepancies: When the Committee held regional hearings, it was alarmed by the

discrepancies which exist between the Provinces in the provision of technical aids. Therefore, the Committee wanted the Federal Government to use whatever means available to ensure that persons in all parts of Canada have access to such aids, even if that meant making the provision of aids a minimum standards and a condition of funding. It is not necessary to use the CAP or VRDP programs to do this. Rather the Committee felt that the Established Programs Financing Act should be used.

5-Year Agreement: Given the amount of Federal money given to the Provinces for health services under the Established Programs Financing Act and also that in 1982, new five year agreements were to be signed, the Committee continues to urge the Federal Government to make provision of such aids a condition of funding.



“At present in Canada, there are no standards for the manufacture of aids and devices for disabled persons, or any to govern the importation of products from abroad.”

99

CONTINUE PRODUCING STANDARDS OF QUALITY FOR AIDS AND DEVICES FOR DISABLED PERSONS

RECOMMENDATION: That the Federal Government encourage the Canadian Standards Association (CSA) to continue its work in producing standards for aids and devices which are manufactured in Canada or which are imported for the use of the physically disabled.

COMMITTED

Extend Guidelines: Over the past several years, the Department of National Health and Welfare has been committed to the development of guidelines for the selection, fitting and maintenance of acoustic devices. The Department is now considering extending this approach to other devices, a move which will include consultation with the Canadian General Standards Board.

Advisory Panels: Officials from the Department of Consumer and Corporate Affairs have participated on Consumer Advisory Panels which were set up under the Canadian Standards Association to develop standards for aids and devices. These

standards are being developed at this time for

- Adaptive automobile control systems, for motor vehicles.
- Hand-powered wheelchairs.

By Consensus: The Canadian General Standards Association is prepared to participate “in the development of standards by consensus” (by consultation) for acoustic devices, which would deal with matters such as the incompatibility between hearing aids and telephone equipment.

Expand List: The Committee feels that these departments must continue this work and also expand the list of items for which standards are being developed.

100

 PROVIDE TECHNICAL AND FINANCIAL ASSISTANCE
TO GROUPS OF DISABLED CONSUMERS

RECOMMENDATION: That the Federal Government direct the Department of the Secretary of State through its Citizen's Participation Directorate to give a higher priority to the provision of technical assistance, and core funding, to organizations of disabled persons.

That the Federal Government direct the Department of the Secretary of State to explore the role to be played by the National Voluntary Organization (NVO) to enable disabled persons to participate more fully in all aspects of Canadian life.

IMPLEMENTED

Umbrella Organizations: The Citizen's Participation Directorate of the Department of the Secretary of State is providing technical assistance and core-funding to national organizations of disabled persons. In 1981-82, this funding amounted to \$500,000, and in the present fiscal year it will be increased to \$800,000.

Central Theme: The Committee established in OBSTACLES the central theme of consultation by the Federal Government with disabled persons and their organizations. The Members are convinced that policies cannot be effective unless they have been formulated from direct consultation with those who will be affected. The Committee applauds the Department of the Secretary of State for its support to disabled consumers.

"At this time, disabled consumers are facing severe organizational and financial difficulties. The consumer movement is a recent phenomenon which has emerged at a time when all levels of government are under economic constraints."

101

ENSURE GOVERNMENT CONSULTATION WITH DISABLED CONSUMERS

RECOMMENDATION: That the Federal Government adopt a policy which will ensure that disabled persons and their organizations will be consulted on all significant initiatives within federal jurisdiction which affect disabled persons.

That Federal Departments and Agencies be encouraged to cover basic expenses of consultation with disabled persons and their organizations, and, where appropriate, enter into contracts with disabled persons who can act as consultants or advisors.

UNDER CONSIDERATION

Worthwhile: Throughout its hearings and in the preparation of **OBSTACLES**, the Committee demonstrated a commitment to the principle of consultation. Because of the time and effort taken to do so, even disabled activists who had been opposed to the Committee felt the process had been worthwhile.

Consultation is more a way of thinking or an approach rather than a formal structure. The Committee feels it is necessary to have a definition of consultation. The mechanism for carrying it out may vary, for example, formal committee or informal meetings.

Limited Progress: There has been limited progress since the publication of **OBSTACLES** in encouraging consultation. A number of departments have developed consultative mechanisms but these have placed a heavy load on voluntary organizations. The Department of the Secretary of State is consulting with The Coalition of Provincial Organizations of the Handicapped (COPHO) about appropriate mechanisms for consultation.

Recognized: The Canadian Mental Health Association has asked for consultative mechanisms to ensure that the

needs of psychiatrically disabled persons are recognized. This group of disabled persons has not been as vocal as others, nor has it developed a national consumer organization. Until these persons are able to organize effectively, care must be taken to include the psychiatrically disabled in any consultation. For example, when the Department of Employment and Immigration announced its Program for the Employment Disadvantaged, psychiatrically disabled persons were omitted. Intervention by the Canadian Mental Health Association clarified this, but this example amply demonstrates the need to consult with consumers of Government services.

Provincial Approaches: The Government of Saskatchewan replied to the recommendation by stating that it has a Steering Committee to develop "mechanisms for involving the disabled in the design of programs intended to help them". The Government of Newfoundland had "encouraged the formation of the Consumer Organization of Disabled People of Newfoundland and Labrador and will continue its co-operation with this group."

Policy: The Committee reaffirms its position that the Federal Government should have a policy on consultation, and that such a policy should include definition, structure and process.

“Few disabled persons are aware of their rights within an institution. Institutions do not inform a person about his or her right to refuse a treatment.”

102

DEVELOP STANDARDS OF CARE FOR LONG-TERM INSTITUTIONALIZATION

RECOMMENDATION: That the Federal Government through the Department of National Health and Welfare, in cooperation with the Provinces, consumer groups, professional associations and voluntary organizations, develop guidelines for standards of care in long-term institutional settings.

COMMITTED



Advisory Committee: The Department of National Health and Welfare has a Federal-Provincial Advisory Committee on Institutional and Medical Services which can prepare the standards that are called for in this recommendation. Standards on rehabilitation and certain aspects of long-term care have been developed by this Committee and will be updated. A new working group will prepare guidelines and

standards for long-term institutional care.

Application: Health and Welfare will also work with other groups involved in the development and application of standards. One such group is the Canadian Council on Hospital Accreditation. Special attention will be directed in this effort to the long-term needs of chronic psychiatric patients.

Continue Efforts: The Committee urges Health and Welfare to continue its efforts to establish the appropriate standards of care for long-term institutional settings.

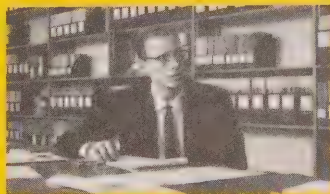
103

STUDY THE COST-EFFECTIVENESS
OF DE-INSTITUTIONALIZATION

RECOMMENDATION: That the Federal Government, in co-operation with the Provinces, initiate in 1981, a study to be completed within one year to establish the cost effectiveness of de-institutionalization and, to this end, determine:

- The present cost of providing institutional care to disabled persons.
- The number and percentage of disabled persons who are currently in institutions and who, with varying levels of community support services and adequate housing, could live in the community.

COMMITTED



\$300,000 Study: The Department of National Health and Welfare is developing a research plan in response to this recommendation, and Cabinet has approved \$300,000 to finance it. The Department expects to use a consortium of agencies to undertake the practical work. The Canadian Council on Social Development may be the lead group, supplemented by other national agencies and consumer

groups. The overall project will include provincial collaboration.

Significant Number: The Committee is convinced that a significant number of disabled persons who are in institutions could live independently in community settings, with the assistance of local support services. The Members are pleased that Health and Welfare has taken the initiative in developing a research proposal and it urges all interested agencies to proceed with the study.

"If it can be clearly established that de-institutionalization is more beneficial and cost-effective, on a large-scale basis, then the Federal Government should give high priority to such a policy."

104

ENSURE THE PRESENCE OF DISABLED PERSONS AS CONSULTANTS OR PARTICIPANTS IN FEDERAL ADVERTISING

RECOMMENDATION: That the Federal Government direct the Minister responsible for Government Communications to develop and implement an advertising policy which will ensure that disabled persons and their concerns are adequately included in Federal advertising.

That an advisory committee of disabled persons and representatives of the advertising sector be established for this purpose.

IMPLEMENTED



Representative Advertising: The Federal Government has a policy on Federal government advertising which states the following:

"... depiction of Canadians in all federal government advertising should be representative to the extent feasible as to sex, age, ancestry and ethnic origin and presence of handicap or disability, both rationally and on a regional basis where applicable and should portray members of these groups in all aspects of Canadian life as appropriate."

The various departments of Government must follow this policy in designing and implementing their advertising programs. The Advertising Management Group within the Government will now monitor these programs, and will consult with department information divisions, and will represent the actions of specific groups in the public.

Stress Importance: This recommendation received wide support from groups of disabled persons including the NWT Association for Children with Learning Disabilities, which stressed the importance of including "invisible" handicaps.

On-going Activity: Changing attitudes about disabled persons was identified as an important on-going activity throughout the Committee's public hearings in 1980. During 1981, some private companies began to use disabled persons in advertising. The Committee saw this as a welcome sign of changing attitudes in the private sector, and it applauds the Federal Government advertising policy which includes reference to the inclusion of disabled persons.

105

INSTRUCT FEDERAL EMPLOYEES TO USE APPROPRIATE
TERMS IN REFERRING TO DISABLED PERSONS

RECOMMENDATION: That the Federal Government request the Canadian Human Rights Commission, in consultation with disabled persons and their organizations, to develop and publish a guide on the use of appropriate terminology when referring to disabled persons, and that the Federal Government direct Departments and Agencies to systematically review the use of terms relating to disabled persons and to eliminate the use of terms with a negative or demeaning connotation.

COMMITTED

Support: The Canadian Human Rights Commission supports this recommendation. Although no request has been received from the Federal Government, the Commission has entered into a contract to develop a list of appropriate terminology. This project will include consultation with disabled persons and their associations, some of whom wrote to the Committee supporting this recommendation. The publication

of the guide which results from the Commission's project is scheduled for later this year or early 1983.

Pleased: The Committee applauds the Canadian Human Rights Commission for undertaking this project and it is pleased that consultation with disabled consumers is part of the project.



106

PROMOTE POSITIVE IMAGE OF DISABLED PERSONS IN KEY AREAS OF SOCIETY

RECOMMENDATION: That the Federal Government direct the appropriate Departments and Agencies to undertake promotional campaigns in areas such as employment, transportation, access and housing in order to stimulate awareness and encourage positive attitudes.

COMMITTED



Advertising Campaigns: Both the Department of National Health and Welfare and the Canada Employment and Immigration Commission have been involved in funding successful advertising campaigns coordinated by the Canadian Rehabilitation Council for the Disabled (CRCD). During the past three years CRCD and Health and Welfare have conducted a public awareness campaign aimed at changing negative attitudes towards disabled persons. The theme of this campaign has been "Your attitude towards the disabled could be their biggest handicap". Total funding for this campaign from Health and Welfare reached \$1.2 million by the end of 1981. But the actual worth of the campaign, including contributory efforts of McCann-Erickson and various media, was \$3 million.

Contribution: In 1981, CRCD received a special contribution of \$100,000 from Employment and Immigration to conduct an "Employability" campaign including five different ads on

behalf of persons who are deaf or hearing-impaired, blind or visually-impaired, mentally handicapped, physically disabled or have mental health problems.

Various Initiatives: The Department of Transport told the Committee about its various initiatives including films and special inserts for employees. The Department of the Secretary of State has been encouraging Federal departments to undertake promotional activities to reinforce a positive image of disabled persons in society.

Highly Successful: The Committee applauds CRCD, Health and Welfare, and Employment and Immigration for their highly successful ad campaign, a campaign which has been well received both in Canada and in other countries as an example of a way to change attitudes. The Committee encourages other departments to take steps to undertake similar campaigns.

107

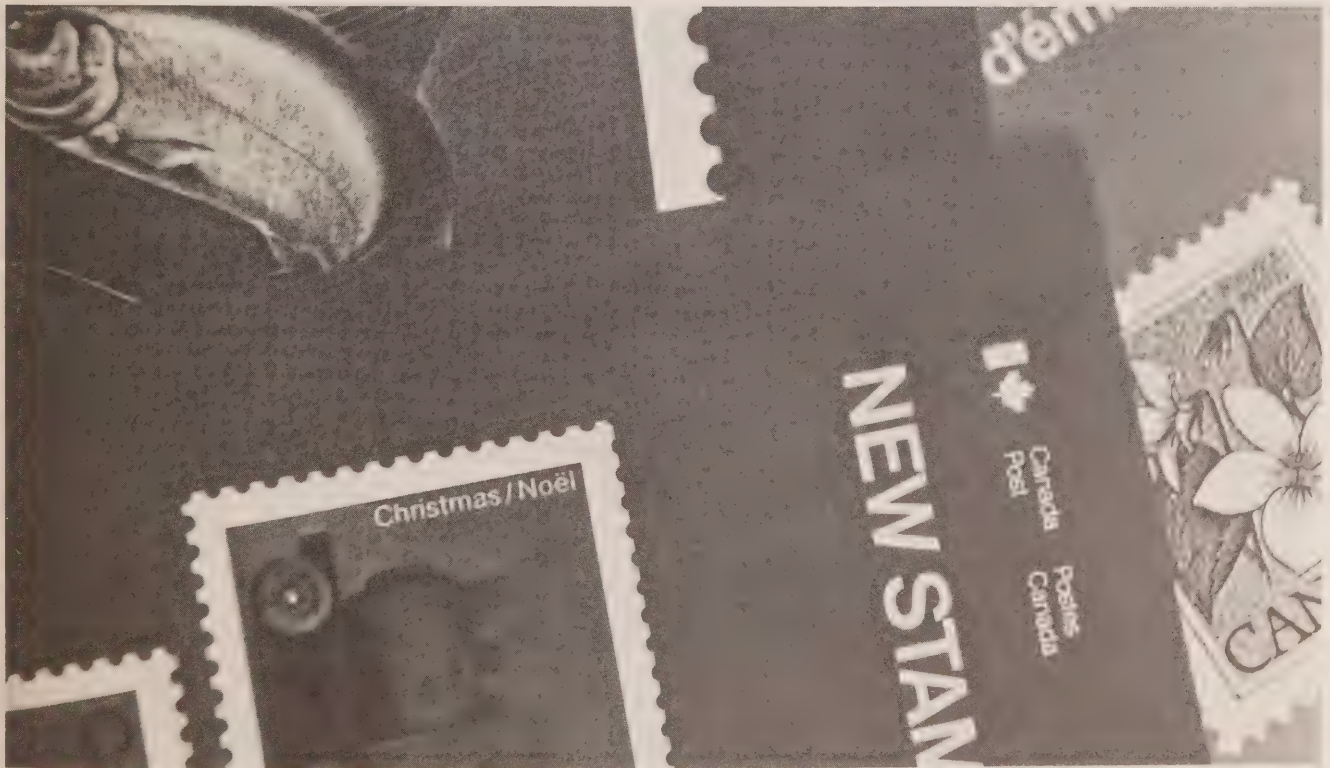
PRODUCE STAMPS TO COMMEMORATE THE INTERNATIONAL YEAR OF DISABLED PERSONS

RECOMMENDATION: That the Federal Government direct the Department of the Post Office to produce a stamp or stamps to commemorate 1981 the International Year of Disabled Persons.

NOT IMPLEMENTED

Preserve Variety: The Post Office issued a rehabilitation stamp in 1980 on the occasion of the World Congress of Rehabilitation International in Winnipeg. The Post Office responded to this recommendation by stating "to preserve variety in our program, we would not want to issue

another stamp on a similar topic in 1981". The Committee regrets that the Post Office rejected the Committee's proposal, since over 75 other countries issued such stamps during the International Year of Disabled Persons. The Committee feels that the Post Office's refusal is particularly regrettable because Canada seconded the motion at the United Nations which designated 1981 as the International Year of Disabled Persons.



108

DEVELOP NATIONAL POLICY ON
PREVENTION OF DISABILITIES

RECOMMENDATION: That the Federal Government request the Department of National Health and Welfare to develop, in conjunction with the Provinces and appropriate organizations, a national policy on the prevention of disability based on the directions set out in "A New Perspective on the Health of Canadians" and that such a policy would include strategies for action in the following areas:

- Reduction of the incidence of birth-related disabilities through promotion of high standards of pre-natal, perinatal and post-natal care.
- Reduction of the incidence of, or, where possible, the eradication of communicable diseases.
- Promotion of safe and healthy work environments.
- Promotion of lifestyles that enhance physical and mental well-being with particular emphasis on stress management, on the effects of drinking, on safe driving, and on the safety aspects of sport and recreational activities.

UNDER
CONSIDERATION

Health Promotion: The Department of National Health and Welfare has received Cabinet approval to increase substantially the priority it gives to health promotion. An additional \$4.8 million has been received. The Department is now clarifying what further resources are to be provided. There is strong emphasis in health promotion on nutrition, and on counteracting alcohol abuse and smoking among the public. There will also be increased emphasis on child health, and a new provision to deal with safety in various areas of public and private life.

Focusing: In her written response to the Committee, the Minister of National Health and Welfare replied: "There is a specific provision for focusing on the needs of handicapped persons. A major element of this will be the development of a long-term policy for the prevention of disabilities". However, at a subsequent meeting with the Committee, this comment by the Minister about "long-term policy for the prevention of disabilities" was not mentioned.

Questions: The Committee questions whether Health and Welfare has really established a policy on prevention of disability and would like concrete evidence to show how this policy is being communicated. The main thrust seems to be on health promotion in general rather than on prevention of disability.

PERSPECTIVE
ON THE
HEALTH OF

109

GIVE HIGHER PRIORITY TO RESEARCH AND DEVELOPMENT WHICH BENEFITS DISABLED PERSONS

RECOMMENDATION: That the Federal Government direct the relevant Departments and Agencies to give a higher priority to research and development in areas of particular interest to disabled persons and the prevention of disability.

That it direct the National Research Council to establish an Inter-departmental Disability Coordinating Committee which would set priorities and co-ordinate activities in this area of research and development. This Committee should ensure that ongoing research in other areas take into account the needs of disabled persons, and

That the Federal Government direct the Department of Transport to give a higher priority to the development of:

- An accessible interprovincial bus,
- Lifting devices for railway passengers,
- A curb-climbing motorized wheelchair,
- Narrow wheelchair to be used on planes or buses,
- Spill-free wet cell battery.

UNDER CONSIDERATION

Significant Increase: The Minister of National Health and Welfare reported to the Committee that there has been a significant increase in consultation on research and development during 1981.

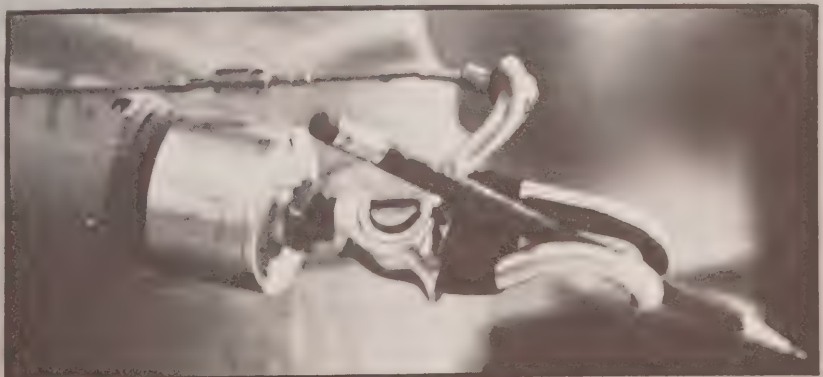
Workshops on research priorities brought together members of the research community. The result has been the initial plan for a National Research Council Associate Committee which will set priorities for research which will benefit disabled persons, and which will co-ordinate subsequent R & D activities.

Bridging Funding: The Department of Supply and Services replied that it will assist program departments in their R & D activities from its Unsolicited Proposal Funding resources. This would provide "bridging funding" in those cases

where research would be postponed because funds were not available.

Other Efforts: The Department of Transport reported the development of an accessible intercity bus at Prevost Co. in St. Clair, Quebec; that lifting devices are being tested by VIA Rail; that a curb-climbing chair is developed, but no Canadian manufacturer has yet been found. Lockheed Corporation has designed a narrow wheelchair. The Transport Development Centre is studying a new wetcell battery.

Strong Interest: The Committee is pleased by the activity that has taken place. This indicates a strong interest in research and development, but the Committee reiterates its position that, in addition to laudable individual efforts, that the Federal Government establish overall R & D priorities in this area and that a coordinated approach be implemented as quickly as possible.



110

STRENGTHEN ACADEMIC DEPARTMENTS TO PROMOTE THE DEVELOPMENT OF REHABILITATION PERSONNEL

RECOMMENDATION: That the Federal Government establish research chairs and fellowships at universities and appropriate rehabilitation institutes or centres to stimulate research in the field of rehabilitation.

**NOT
IMPLEMENTED**



No Immediate Action: The Department of National Health and Welfare reports a significant

increase in consultation on rehabilitation research and development in 1981. However, the Department has told the Committee that present policies and level of resources do not permit immediate action on the establishment of research chairs.

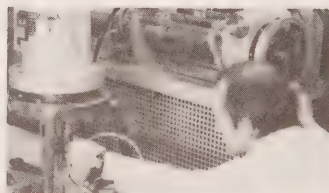
Next Year: The Committee regrets that the Department is not able to undertake this initiative at this time and hopes that funds will be available next year.

111

ESTABLISH TREATMENT AND RESEARCH CENTRES FOR CERTAIN DISABILITIES

RECOMMENDATION: That the Federal Government Fund, or assist in funding, in cooperation with interested Provinces and voluntary organizations, specialized treatment and research centres which would concentrate on certain disability groups such as the deaf-blind, deaf persons who are mentally ill, autistic persons, and those with cancer of the larynx.

**NOT
IMPLEMENTED**



Same Problem: The Department of National Health and Welfare responded to the Committee with the same answer as in #110. The Committee responds with the same regret, and with the same hope that action can be taken next year.

112

ENSURE THAT CANADA HAS SUFFICIENT MEDICAL
REHABILITATION PERSONNEL

RECOMMENDATION: That the Federal Government pursue its study of the health work-force requirements in the area of medical rehabilitation and take steps, in cooperation with the Provinces, to correct any shortcomings.

**NOT
IMPLEMENTED**

New Congress: The Department of National Health and Welfare reports that consultations have provided directions for plans for co-operation between the Department and the Canadian Rehabilitation Council for the Disabled (CRCD) on the formation of a Canadian Congress of Rehabilitation.

Misses Mark: This response does not really deal with a manpower study, as recommended, nor does it make reference to the current survey of the health profession. The Committee questions the adequacy of the Department's response, and urges the officials responsible to specify exactly what steps they are taking to rectify the shortage of personnel in Canada.



113

DIRECT STATISTICS CANADA TO DEVELOP DATA BASE ON DISABLED CANADIANS

RECOMMENDATION: That the Federal Government direct Statistics Canada to give a high priority to the development and implementation of long-term strategy which will generate comprehensive data on disabled persons in Canada, using population-based surveys and program data.

That, as part of this long-term plan, the following steps be initiated:

- A national conference be convened in 1981, if possible, to review the data needs in this area and to identify appropriate measures for inclusion in a long-term plan;
- A commitment to include in the 1986 Census, questions on disability, and a suitable follow-up questionnaire to generate data on disabled persons in Canada;
- Inclusion of appropriate questions in the Canadian Labour Force Survey, the Consumer Finance Survey and other major population-based surveys, to provide additional data on the socio-economic conditions of disabled persons in Canada.

COMMITTED

Full Agreement: The Minister of Supply and Services, appearing before the Committee after the publication of *OBSTACLES*, stated "I am in full agreement with this recommendation."

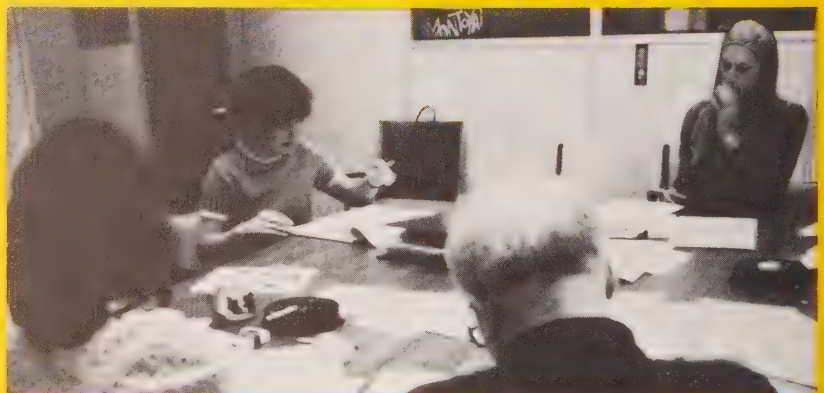
Long-Term Plan: In order to determine specific data needs and identify components for a long-term plan of action, Statistics Canada undertook a survey of over 200 Federal and Provincial departments, agencies and crown corporations, including associations of and for disabled persons. The replies are now being analyzed in terms of user requirements.

Prime Objective: The rapid development of data is a prime objective of Statistics Canada. Therefore, supplementary questions will be added to the monthly Labour Force Survey, generating preliminary

information by 1983. More detailed information with national and regional implications should be available in 1984.

1986 Census: Statistics Canada plans to include questions in the 1986 census which will identify individuals for a subsequent follow-up survey. Pending the appropriation of funds, this should generate more comprehensive and detailed information throughout the second half of this decade.

Important Issue: The Committee notes the strong support for this recommendation given by the associations of and for disabled persons. The Committee also applauds the Minister of Supply and Services for his quick response to the recommendation. Although the response does not follow all of the items outlined in the recommendation, the Committee is convinced that the important issue of securing data on disabled persons is being addressed.



114

ESTABLISH NATIONAL ADVISORY BODY ON COMMUNITY SERVICES FOR DISABLED INDIAN PERSONS

RECOMMENDATION: That the Federal Government direct the Department of Indian Affairs and Northern Development to provide financial and technical assistance for the establishment of a national advisory body on community services affecting disabled Indian people, similar in concept and format to the National Commission Inquiry on Indian Health.

UNDER CONSIDERATION

Know More: The Minister of Indian Affairs and Northern Development expressed support for the recommendation, but would like to "know more about the costs and the necessity for such a group". The first priority of DIAND is the provision of basic housing, adequate school facilities, basic sewage and sanitation services. Then, if additional resources are available, it would look at the funding of an advisory body.

Most Feasible: The National Indian Brotherhood (NIB)* feels that the Commission "is probably the most feasible mechanism available to act as a national advisory body on community services for disabled persons".

* Now the Assembly of First Nations

The Inuit Tapirisat supports this recommendation and feels that such a Commission should involve members of the Inuit community.

Limited Action: There has been limited action by DIAND to implement this recommendation. A letter from the Minister states that officers in the Indian/Inuit Program are exploring the possibilities with the National Indian Brotherhood of a social services committee being incorporated in the existing NIB mechanism. Furthermore, the Minister stated that he "would be open to consider assisting the Health Council of the First Nations by assigning some of our program experts. . ."

Recognition: The Committee feels that DIAND has shown that it recognizes the problem, and now the time has come for action. Therefore, the Committee urges the Department to work quickly to obtain cost estimates and to implement.



“Native people trust and make use of information which comes from their own people. Information about Government services to disabled people, therefore, must be channeled through organizations which Native people operate for themselves.”

115

EXPAND THE ROLE OF FRIENDSHIP CENTRES FOR DISABLED NATIVE PEOPLE

RECOMMENDATION: That the Federal Government expand the role of Friendship Centres to include an urban-based referral program providing liaison and assistance to migrant Natives who are disabled.

NOT IMPLEMENTED

Design Program: The Department of the Secretary of State has designated an official to design a research program which will identify the needs of disabled Native people, where they live, and the most effective ways to utilize Friendship Centres.

Established: The National Indian Brotherhood (NIB)* is supportive of this recommendation because it sees these centres as the only established Indian operated and controlled referral facilities. The NIB also asked that the Secretary of State make funds available to improve the accessibility of the centres. The Inuit Tapirisat “agrees that friendship centres could play an

important role”, particularly for disabled Inuit travelling south for treatment.

Additional Responsibilities: The National Association of Friendship Centres said “We are willing to accept additional responsibilities” but we need additional funding. It suggested that pilot projects could determine which centres are the most likely to deal with disabled Indians.

Convinced: During its hearings for the *Follow-Up Report: Native Population*, the Committee had an opportunity to visit a friendship centre in Regina. The Members are more firmly convinced that friendship centres could provide a needed service to disabled persons.

* Assembly of First Nations

116

CONSIDER TRANSFER OF HEALTH SERVICES TO DEPARTMENT OF INDIAN AFFAIRS

RECOMMENDATION: That the Federal Government determine the feasibility of transferring Indian Health Services from the Department of National Health and Welfare to the Department of Indian Affairs and Northern Development, and determine the direct and indirect advantages of such a transfer to the Indian and Inuit people who are disabled.

NOT IMPLEMENTED



Not Important: The Minister of Indian Affairs and Northern Development did not feel that the study was a priority item among Native people. If deemed important by them, however, he is prepared to consider the matter. He stated: "If this Committee recommends that the Federal Government allocate resources necessary to study this adequately, if that is what you are saying, of course I think we would have to take it seriously. ... it has not been a high priority in my personal experience, but that does not mean we should not necessarily conduct a study".

Transfer: The Department of National Health and Welfare feels that the introduction of the new Indian Health Policy in September 1979 which resulted in the transfer of health services to Indian communities has responded to the thrust of the recommendation. There has been no comment from Health and Welfare about studying the possible transfer.

Cautious: The National Indian Brotherhood (NIB) offers cautions support for the recommendation, stressing that it is in support of a "feasibility" study. However, NIB, in general, supports the "one agency" concept.

Willingness To Look: The recommendation has not been implemented, but the Department of Indian Affairs and Northern Development (DIAND) has expressed a willingness to look at the issue. However, in a recent letter from the Minister, he now says that "NHW (National Health and Welfare), as a medical service agency, can best administer health services to the Indian people and the Inuit." He feels that the transfer of responsibility "would only serve to delay the delivery and improvement of services". Then, in a subsequent letter, he expressed a willingness to explore with NIB the feasibility of such a study.

Misunderstanding: It appears that there has been some misunderstanding about this recommendation, namely, that the Committee has suggested that such a transfer is desirable. *The Committee has not drawn such a conclusion.* Rather, the Committee feels that there are sufficient grounds to warrant a feasibility study, and urges action on such a study.

“Indian babies die at twice the national rate. Those who survive the ravages of pneumonia, bronchitis and parasitic diseases frequently suffer from malnutrition, unhealthy living conditions and family break-down.”

117

ESTABLISH DATA ON PROBLEMS OF DISABLED INDIAN AND INUIT PEOPLE

RECOMMENDATION: That the Federal Government direct the Department of Indian Affairs and Northern Development to undertake community-based surveys to supplement program data presently available regarding the extent and nature of problems facing disabled Indian and Inuit peoples.

COMMITTED

Urgency: The Minister of Indian Affairs and Northern Development agreed on the “urgency of the need for community-based surveys to determine the degree and scope of the problems facing disabled Indians and Inuit people.” The Department, in cooperation with Statistics Canada, Health and Welfare, and Canada Employment and Immigration Commission (CEIC) and the territorial governments, is undertaking such a survey through its regional offices.

There is already a national data base on Native peoples; the Minister has asked his officials to examine the possibility of using this mechanism to provide

specific information on the disabled Native population. The Canadian Paraplegic Association has been given a grant to study the numbers and problems of physically disabled Native Canadians.

Consultation Essential: A key part of this recommendation dealt with the involvement of Indian and Inuit themselves. That is what the Committee intended by the term “community-based surveys”. The Committee is concerned that in the haste to obtain data, the Federal Government has neglected to consult with the Native groups about how to collect the data. It is not too late to begin doing so and, therefore, the Committee urges the Federal departments to include Indian people and Inuit in their discussions and in the data collection.

118

EXPAND HEALTH PROFESSION OPPORTUNITIES FOR NATIVE PERSONS

RECOMMENDATION: That the Federal Government direct the Department of Indian Affairs and Northern Development, and the Department of National Health and Welfare to expand Native career development plans in order to attract Native people to the health professions and, in particular, to the fields of health education and promotion.

UNDER CONSIDERATION



Lead Role: The Department of National Health and Welfare, the Department of Indian Affairs and Northern Development (DIAND), the Canada Employment and Immigration Commission (CEIC), and the Department of the Secretary of State are consulting on this matter. The Minister of Indian Affairs supports the efforts of National Health and Welfare in taking the lead role in expanding opportunities for employment of Native persons in health professions. The Department will cooperate with others involved in this initiative. The Minister has also asked his officials to consult and co-operate with CEIC in the design of relevant programs to enable Native persons to avail themselves of careers in the health professions.

Acutely Aware: The National Indian Brotherhood (NIB)* fully supports the recommendation because they are "acutely aware of the lack of health professionals in the Indian community." NIB

* Assembly of First Nations

felt there was no consultation in Native health career development programs. The Brotherhood also felt that it received little support from the Medical Health Services for Indian proposals for para-professionals.

Biggest Breakthrough: The Inuit Tapirisat supports the view that "the biggest breakthrough in providing health services to Inuit will come when significant numbers of Inuit become professional health workers."



Lack of Action: While various government departments have agreed in principle to the recommendation, there is a lack of concrete action to demonstrate any government commitment. The Committee asks for evidence on this score, and urges that DIAND and National Health and Welfare to begin work quickly to implement this recommendation.

119

EDUCATE PUBLIC SERVANTS ON NEEDS OF DISABLED NATIVE PEOPLE

RECOMMENDATION: That the Federal Government, in cooperation with Native organizations, give a higher priority to the provision of orientation programs for public servants involved in the delivery of services affecting disabled Native persons.

UNDER CONSIDERATION

Necessary Data: The Department of National Health and Welfare, the Department of Indian Affairs and Northern Development, Canada Employment and Immigration Commission, and the Department of the Secretary of State are consulting on this matter. The Minister of Indian Affairs supports the recommendation, and states that once data on Indian disabilities is available, cross-cultural training can be modified.

Orientation Packages: The National Indian Brotherhood* told the Committee that Indian culture centres are willing to develop orientation packages on

the varying Indian cultures within a region. These suggestions have not been acted upon by the government. However, cultural centres serve only 60% of the Native population.

The Inuit Tapirisat fully supports the recommendation since "of all of Canada's aboriginal peoples, the Inuit are the least understood."

Concrete Action: Although there appears to be agreement in principle, the Committee is disappointed that no action has been undertaken by the Government. There is a need for concrete action to demonstrate the Government's commitment. The Committee urges the Government to undertake action, noting the possibility of giving a special role to the cultural centres to do this task.

* Now Assembly of First Nations

"An understanding of the history, values and perceptions of Native groups is needed by all public servants who work with them."

“Many Government Departments and private agencies administer programs which affect the lives of disabled Native people. Few of these programs are based on accurate feedback from the communities they serve.”

120

ESTABLISH SPECIAL LIAISON AND RESEARCH OFFICE DEALING WITH NEEDS OF DISABLED NATIVE PEOPLE

RECOMMENDATION: That the Federal Government instruct the Department of the Secretary of State through its Native Program to facilitate research and liaison through a special office relating to the needs of disabled Native people.

NOT IMPLEMENTED

Practical Move: There has been no comment on this recommendation from the Department of the Secretary of State. The National Indian Brotherhood* supports this recommendation by saying that a move to Secretary of State would be a “practical move”. The Brotherhood feels that the establishment of such an office within the Department of the Secretary of State, working in close conjunction with other departments and Indian and Native groups, may be what is needed to ensure that these recommendations are not forgotten.

Gaps: The Inuit Tapirisat is pleased that the Special Committee recognizes that there are gaps, and it would participate if the core-funding problem is solved.

Consult: The Minister of State for Social Development wrote to the Committee saying that he wanted to consult with colleagues about the need for a study of federal services to disabled Native persons.

Northern Trip: Following its trip to the North and to Indian communities, the Committee is even more convinced than the Federal Government must do more for disabled Native people, and urges action.

* Assembly of First Nations

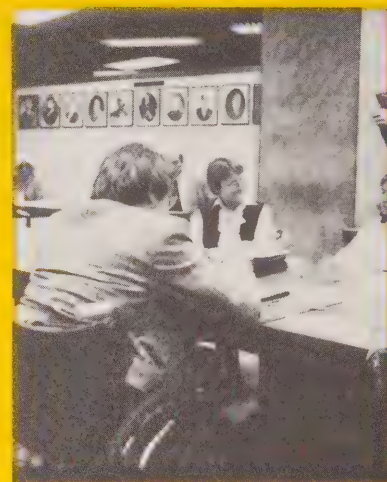
121

APPOINT NATIVE REPRESENTATIVE TO
INTERNATIONAL YEAR COMMITTEE

RECOMMENDATION: That the Federal Government appoint a representative of Native peoples to the Canadian Organizing Committee for the International Year of Disabled Persons.

IMPLEMENTED

Appointed, But: Mr. Charles Crow was appointed to serve on the Canadian Organizing Committee, but two Native organizations pointed out that the appointment was made without consultation. The Committee is pleased that the Minister of National Health and Welfare responded quickly, but is disappointed about the lack of consultation.



122

INCREASE FINANCIAL SUPPORT FOR NATIONAL
NATIVE ALCOHOL ABUSE PROGRAM

RECOMMENDATION: That the Federal Government direct the Department of Indian Affairs and Northern Development, and the Department of National Health and Welfare, to substantially increase their financial support for the National Native Alcohol Abuse Program and to ensure that the evaluation mechanism for the program involves members of those communities for which the program is intended.

IMPLEMENTED



\$154 Million: On April 5, 1982, the Minister of National Health and Welfare announced that the Federal Government would spend \$154 million over five years to

combat alcohol and drug abuse. The expanded program will cost \$21 million in 1982-83.

So Positively: The Committee applauds the Minister for responding so positively to the recommendation and for securing the necessary funding to expand the program. The Committee considers the implementation of this recommendation to be a major achievement.

Note: See #7 in the Follow-Up Report Section for more information.

123

ENSURE ACCESS TO REHABILITATION SERVICES FOR STATUS INDIANS

RECOMMENDATION: That the Federal Government direct the Department of Indian Affairs and Northern Development, and the Department of National Health and Welfare in consultation with the Provinces and Status Indians and their associations, to develop a suitable mechanism to ensure that disabled Status Indians have access to a full range of rehabilitation services.

UNDER CONSIDERATION



Tripartate: This matter will be part of a tripartate discussion with the Provinces and Indian associations on the broader issue of services for Indians. The National Indian Brotherhood wants the Federal Government to transfer to Indian control the Indian portion of the funding that would normally go to the Provinces.

Equal Access: The Inuit Tapirisat seeks Federal commitment that disabled Inuit will have equal access to needed services and facilities, the same as those now provided to non-Natives. The Minister of Indian Affairs and Northern Development supports the Inuit position, on the understanding that "access" to a full range of services include those available both on-and-off-Reserve. The Minister wrote to the Committee: "The whole issue of accessibility to provincial social services, in

general, is a matter that impacts on the needs of disabled Indian and Inuit people. I am, therefore, supporting my regional officials in their initiatives in negotiating with provincial authorities on the issue of extending provincial social and rehabilitative services generally."

Particularly Aware: The Committee was made particularly aware of the problem of access to rehabilitation services through the testimony of Lionel Stonechild whose profile appeared in the Follow-Up Report. Lionel, who suffers from a kidney problem, must now undergo dialysis three times a week. Such services are not available on the reserve, but by moving off the reserve to be close to the hospital and dialysis, it is difficult to obtain governmental assistance.

Concrete Steps: The problem of access to rehabilitation services has been identified. Now is the time for action. The Committee would like to see concrete steps to demonstrate the government's commitment to improving access to that service.

124

REINFORCE FEDERAL ROLE IN INTERNATIONAL YEAR OF DISABLED PERSONS

RECOMMENDATION: That the Federal Government continue to play a lead role in the International Year of Disabled Persons (IYDP) activities at the United Nations, and with UN Agencies, and, in particular, in the development of a long-term plan of action as a follow-up to the International Year.

COMMITTED



Consistently Encouraged: Within the UN General Assembly and in other UN Specialized Agencies, Canada has consistently

encouraged the integration of the disabled in society, through programs and through consultation with organizations of disabled persons, and through the increased employment of the disabled. Canada, as a member of the UN Advisory Committee for IYDP, continues to work actively in the development of the UN long-term plan of action to pursue the IYDP objective of "Full Participation".

The Committee is pleased with the lead role that Canada has played.

"The Federal Government should reinforce the lead role it has been playing, to ensure that Canadian experience and expertise is involved in the development and implementation of any long-term plan designed to prevent disability, or to improve the conditions of disabled persons in developing countries."

125

INSTRUCT CIDA TO DEVOTE MORE FUNDS
TO PREVENT DISABILITY

COMMITTED

RECOMMENDATION: That the Federal Government instruct the Canadian International Development Agency (CIDA) to allocate a greater proportion of its current budget in developing countries for the following purposes:

- Projects for improvement of the water supply as a measure to reduce the incidence of disabling conditions as Canada's participation in the 1981-1990 International Water Supply and Sanitation Decade;
- Programs for immunization and other means of preventing disabling conditions;
- Community services for disabled persons which foster integration into the community;
- Establishment of prosthetic and orthotic services in countries lacking such services;
- Support for the organization and activities of consumer groups at the local, regional, national and international level;
- Establishment of an interchange of professionals in the field of rehabilitation.

That the Federal Government instruct CIDA to adopt a policy requiring the application of minimum Canadian standards for accessibility to buildings or facilities funded by that body, where feasible.

Full Accord: CIDA is in full accord with this recommendation and will respond whenever possible in its programs. The Agency's priorities for its current health and population program include the following:

- Primary health care
- Immunization against communicable diseases
- Training of para-medical personnel
- Provision of water and sanitation facilities

Not Policy: Normally, it is not CIDA policy to impose Canadian priorities on developing countries, but the Agency will endeavour to support programs recommended by the Committee. Canadian Embassies and High Commissions will consider rehabilitation and help to the disabled in the disbursement of CIDA's Mission Administered Funds.

Financial Support: The Committee is pleased with CIDA's support, and in particular with the Agency's decision to provide financial support to Disabled Persons' International, the international disabled consumers group.



“Canada is already taking a lead role in the UN’s activities to assist disabled persons. One way to reinforce the country’s commitment to the worldwide disabled community is to set an example for accessibility.”

126

ACCESSIBILITY TO CANADIAN FACILITIES ABROAD

RECOMMENDATION: That the Federal Government instruct the Department of External Affairs to accelerate the implementation wherever feasible of the same policy for accessibility to buildings and facilities outside the country as Federal Government Departments and Agencies are required to implement in Canada.

That the Federal Government instruct the Department of External Affairs to promote the use of reasonable standards of accessibility to buildings or facilities owned, leased or funded by the United Nations and its Agencies.

COMMITTED



Require Alterations: The public areas of new chanceries and official residences are normally designed in accordance with “Building Standards for the Handicapped 1980”. At present, a review of Canada’s facilities abroad is being conducted and those which might require alterations will be included in the normal priority planning for improvement as resources become available. If the program is intensified, additional resources would be needed. Instructions

have been issued that accessibility to the disabled is included as a criterion for selection of future chanceries and official residences.

Canada has requested that organizations within the United Nations system improve access to their buildings and facilities for disabled persons.

Realize Difficulties: The Committee is pleased by the response, particularly since it realizes the difficulties in obtaining accessible facilities in certain parts of the world.

127

INSTRUCT GOVERNMENT ORGANIZATIONS TO RESPOND
QUICKLY TO RECOMMENDATIONS IN THIS REPORT

RECOMMENDATION: That the Federal Government instruct the relevant Departments, Agencies and Crown Corporations to give a higher priority in the allocation of their existing resources to the measures proposed in this Report to meet the needs of disabled persons.

That the Federal Government instruct the relevant Departments, Agencies and Crown Corporations to take immediate action to implement the recommendations relating to employment, housing, transportation and communications and to finance these out of existing resource levels.

COMMITTED



Interdepartmental: Following the release of the OBSTACLES report, an interdepartmental committee was formed to make an initial review of the 130 recommendations. In considering the course of action to be followed, priority was given to recommendations that could be acted on immediately and largely within existing budgets.

40 Recommendations: In December 1981, the Minister responsible for the coordination of the responses to OBSTACLES tabled a document outlining the action taken on over forty recommendations. A second document was tabled in June 1982.

Quick Response: The Committee is pleased with the Government response to OBSTACLES, particularly the quick response by the Ministers of Housing and Communications. The Committee urges continued pressure to implement the remaining recommendations.

"The disabled community in Canada must be given a bigger slice of the existing pie. It is time that Federal organizations give the needs of disabled persons a higher profile. Existing programs can be paid for over a longer time period. Other programs may be delayed."

“All of the issues in these four recommendations were identified as critical ones during the Committee’s regional hearings. The Committee appreciates that these recommendations will be costly to implement but it feels that the need is so great that the necessary funds must be found.”

128

GIVE PRIORITY TO NEGOTIATIONS WITH PROVINCES

RECOMMENDATION: Note: This recommendation is a summary of several actions proposed in previous recommendations.

That the Federal Government immediately begin negotiations with the Provinces to permit the establishment of the Comprehensive Disability Benefits Program proposed in Recommendation 39, so that this program may be implemented as soon as possible.

That the Federal Government act quickly to negotiate with the provinces cost-sharing agreements necessary for:

- The replacement of the Vocational Rehabilitation for Disabled Persons Act with new legislation (Recommendation 37).
- The development of new legislation to provide independent living services (Recommendation 75).

- The provision of aids and devices (Recommendation 98).

That, in order to ensure control over Federal expenditures in these cost-shared areas, a ceiling or limit should be imposed. This ceiling or limit should be indexed and adjusted from time to time in light of experience and economic conditions.

That the amounts allocated for these cost-shared programs should be pro-rated in each Province in line with some indicator of social need, e.g. number of unemployment insurance recipients or social assistance recipients.

**UNDER
CONSIDERATION**

Task Force: The Minister of National Health and Welfare has responded to recommendation #39 by establishing a Federal-Provincial Task Force to investigate a comprehensive disability protection plan and to report by September 1983. In the meantime, the Minister has responded to recommendations #37, #75 and #98 by preparing “costed options” for submission to Cabinet in the autumn of 1982.

Preliminary Steps: The Committee is pleased that the Minister has taken preliminary steps in addressing these recommendations. All of the issues in these four recommendations were identified as critical ones during the Committee’s regional hearings. The Committee appreciates that these recommendations will be costly to implement but it feels that the need is so great that the necessary funds must be found.

129

ESTABLISH CABINET-LEVEL REVIEW PROCEDURE

RECOMMENDATION: That the Federal Government establish a review procedure at Cabinet level (similar to that which is in place with reference to the Status of Women) which will ensure that ongoing consideration is given to the concerns of disabled persons.

**NOT
IMPLEMENTED**

Permanent Lobby: The Federal Government has not established such a review procedure. The Committee feels that a Minister of State with permanent responsibilities for disabled persons would be able to lobby at Cabinet level on their behalf.

“Most Federal Government decisions are made without regard to their impact upon the lives of disabled persons. This was also true at one time with respect to women, but not any more. Following the International Women’s Year in 1975, a simple procedure was developed to ensure that consideration was given to the concerns of women in decision-making by the Federal Government.”

“The Minister Responsible for the Status of Women is a good example of the type of mechanism which is needed. A separate department was not created. Rather, the Minister monitors Federal policies and programs and lobbies on behalf of women.”

130

DESIGNATE A MINISTER FOR DISABLED PERSONS

RECOMMENDATION: That a Minister of State on the Status of Disabled Persons be designated and that such a Minister be attached to a major Department other than the Department of National Health and Welfare.

NOT IMPLEMENTED

Partial Fulfillment: On December 7, 1981, the Prime Minister designated the Honourable Gerald Regan to be the Minister responsible for coordinating the implementation of the recommendations in the OBSTACLES report. The Committee was pleased by this action and applauds the Government for giving this priority to OBSTACLES. This is a partial fulfillment of this recommendation.

Now Permanent: The Committee believes that the designation of a Minister should now be made permanent so that he or she can be an advocate on behalf of disabled persons on an ongoing basis.

The Committee is totally opposed to the creation of a new Department: Rather, what is needed is a single Minister to coordinate the many programs which affect disabled persons, and who will lobby on behalf of disabled persons at the Cabinet level.

Good Example: The Minister Responsible for the Status of Women is a good example of the type of mechanism which is needed. A separate department was not created. Rather, the Minister monitors Federal policies and programs and lobbies on behalf of women. The Committee is convinced more than ever that this kind of Minister is needed. Therefore, the Committee continues to urge for the designation a Minister of State on the Status of Disabled Persons.



FOLLOW-UP

ONE

DIRECT FEDERAL AUTHORITIES WHO IMPLEMENT RECOMMENDATIONS ON NATIVES TO CONSULT WITH NATIVE PEOPLE BEFORE ACTING

COMMITTED

Responses: There has been no comment on consultation from the Department of the Secretary of State. The Medical Services Branch of the Department of National Health and Welfare states that it "firmly believes in the principles of consultation" and points to new linkages with the following Native organizations:

- Health Commission of the Assembly of First Nations
- Provincial/territorial organizations
- Tribal and District Councils
- Indian Bands

Paramount Concern: The Minister of Indian Affairs says "consultation with Native people is of paramount concern Consultation is recognized by my Department as an ongoing process and one in which we are in a learning stance more will be said and done by DIAND in its role of advocate of status Indians and Inuit to achieve the spirit of this recommendation. . . . You can, therefore, expect my continuing commitment to pursue consultation in line with Indian people's expectations and need for services."

Funding Allotted: The Minister reports that funding has been allotted to Native political organizations to explore the structure for consultation with constituents, DIAND and other departments.

Acceptable: In 1981, Mr. Del Riley, President of the National Indian Brotherhood, stated: "The Federal Government has a policy calling for consultation with Indian people. What they need to do is implement their existing policy in a manner that is acceptable to Indian people and quit asking us to sanction what has already been decided by some higher authority in the Government."



Exclusive Work: The Minister of State for Social Development reports that his Ministry (MSSD) already fulfills a role of coordination among Federal departments. MSSD has a division working exclusively on Native and northern affairs. MSSD has asked the Minister of Indian Affairs and Northern Development to establish an interdepartmental committee to coordinate initiatives aimed at transferring greater control of Federal programs to Indian communities. The Minister of State for Social Development also wants to consult with colleagues regarding the need for a study of Federal services to disabled Native people.

Permanent Change: The Committee is dedicated to the principles of consultation. It is only through that process that permanent change will occur. The Committee is seeking evidence that others are demonstrating the same level of commitment. All groups say they are doing it, but enough evidence from the field has come to the Committee's attention to indicate that it does not happen in all cases. Therefore, the Committee asks for a renewed commitment by Federal authorities to consult with Native people before taking actions on their behalf.

FOLLOW-UP

TWO

**DIRECT THE DEPARTMENT OF SUPPLY AND SERVICES TO
DEVELOP SPECIAL INFORMATION PACKAGES FOR
DISABLED PERSONS, AS WELL AS NATIVE PERSONS**

COMMITTED

Compendium: On behalf of the Department of the Secretary of State, the Department of Supply and Services (DSS) Task Force on Service to the Public has offered to undertake the project of compiling and producing a compendium of services available to Native and disabled persons in Canada. This initiative may be

part of the proposed Canadian Information Centre for Disabled Persons (#61). The DSS compendium will include services offered by Federal, Provincial/Territorial governments, and by the private sector.

If funding is available, the compendium will be developed in consultation with the relevant groups. Research and compilation

should be completed by the end of 1982.

Willingness: The Committee is pleased by the willingness of DSS to undertake such a project, and urges immediate action.

“Self-help on the part of disabled persons is impossible without accessibility to information about the services, facilities, programs and other forms of assistance that can be available to them at the community level. This lack of information is a problem faced by all disabled persons, but especially those who are Native Canadians.”

“Among those disabled persons who are Native Canadians, this need for more jobs is even greater because the entire Native population faces high unemployment. Before the special needs of disabled persons can even be addressed in this matter, attention must first be focused on increasing employment for all Native persons.”

FOLLOW-UP

THREE

**PROVIDE RESOURCES TO THE “JOINT COUNCIL”,
TO IMPROVE IMPLEMENTATION OF POLICIES TO HIRE
NATIVE PERSONS IN THE FEDERAL SERVICE**

NOT IMPLEMENTED

Facilities: The Minister of Indian Affairs and Northern Development, in response to this recommendation, stated: “. . . an exclusive Approval order was obtained in December to facilitate the appointment of Native persons to two special programs within my Department. The Indian and Inuit Recruitment and Development Program has allocated to it 50 person years and the Native Development Program, approximately 60 person years. In addition, we have obtained from the Treasury Board a temporary

quota of 35 additional authorities to facilitate the recruitment and placement of Native people within the Department for periods of up to two years on training and development assignments. We have made a beginning in this area which will be pursued and furthered.”

The Department of Indian Affairs and Northern Development currently employs 1424 Native employees out of 6005 including two persons at the senior executive level.

More Constructive: The Inuit Tapirisat of Canada (ITC) is a member of the Joint Council. They have repeatedly asked for funds to facilitate a more constructive participation as outlined in the recommendation.

The Public Service Commission acknowledges that the recommendation has merit. There has not been a positive response, however, to ITC's request, nor to the recommendation, either by Treasury Board or the Public Service Commission.

Straightforward: The Committee urges Treasury Board to act quickly to implement this recommendation. The Committee perceives this recommendation as straightforward and well-defined. If the Government cannot support this recommendation, with its accompanying cost benefits, the Committee wonders how the Government can adequately respond to the more complex and far-reaching recommendations contained in this report.

FOLLOW-UP

FOUR

**DIRECT SECRETARY OF STATE TO ESTABLISH
PILOT PROJECTS TO IMPROVE CAPACITY OF
FRIENDSHIP CENTRES TO ASSIST DISABLED NATIVE PERSONS**

**NOT
IMPLEMENTED**

See # 115

“Over the past ten years, the Federal Government has provided the program with \$5 million for capital expenditures. The administrators and staff of the Centres have parleyed that original investment into assets now worth \$15 million. During the period, no Centre has failed financially.”

FOLLOW-UP

FIVE

INCLUDE THE NEEDS OF DISABLED PERSONS AS A MAJOR AGENDA ITEM IN THE UPCOMING NATIONAL CONFERENCE ON NATIVE HEALTH

COMMITTED

Agenda And Theme: The Minister of National Health and Welfare is committed to this recommendation and has already approved the agenda and theme of Indian/Inuit Control of Health. The Conference was originally slated for Winnipeg in mid-summer of this year, but

administrative bottlenecks developed and that initiative has been lost.

Rescheduled: The Conference is now tentatively rescheduled for November 1982, but there is yet to be established a functioning steering committee to plan the activity. As a consequence, little progress has occurred beyond preliminary discussion.

Back On Track: The Committee urges all parties to come together and get the conference back on track. The issues are pressing and require immediate attention, before mistrust and ill will replace the good intentions and work of Government and Native officials.



“There is a serious lack of trained personnel who can concentrate their efforts on the early detection and prevention of disabilities. This usually means that a disability can reach a serious stage before the disabled person is likely to receive medical treatment.”

FOLLOW-UP

SIX

DIRECT CANADA EMPLOYMENT AND IMMIGRATION COMMISSION TO DEVELOP AND PROMOTE SPECIALIZED PARAPROFESSIONAL TRAINING PROGRAMS FOR NATIVE PERSONS

COMMITTED

Special Programs: The Minister of Indian Affairs and Northern Development, in response to this recommendation, stated: “Much of the success of the post-secondary education for registered Indians in the last ten years can be attributed to special programs which facilitated the access of Indian people into the professions. Given the current government thrusts regarding technical training, my Department will be exploring with CEIC (Canada Employment and Immigration Commission), innovative measures that can be

undertaken to enable native access to a broader range of training program.”

Same Format: The conditional response of the Minister of Employment and Immigration to this was: “I would think that the training of para-professionals can follow the same organizational format already established for the Community Health Representatives training courses. . . as funding becomes available to Bands to hire para-professionals”, CEIC will provide training. CEIC is currently re-examining its role in providing services to Native persons.

Urgent: The Minister of Indian Affairs and Northern Development strongly supports the CEIC approach: “. . . it is urgent that similar innovative measures be undertaken to enable Native access to the appropriate training programs.”

Serious Lack: There is a serious lack of trained personnel in Native communities. Para-professional programs in not only the health professions are urgently needed. The Committee urges CEIC to work quickly in its re-examination and to institute badly needed programs.

FOLLOW-UP

SEVEN

CHANGE NNAAP PROGRAM INTO AN INITIATIVE WHICH RELATES TO THE CHEMICAL DEPENDENCY PROBLEMS OF INDIAN-INUIT PEOPLE

IMPLEMENTED

Extensive Process: On April 5, 1982, the Minister of National Health and Welfare announced that the Federal Government will spend \$154 million over 5 years to combat alcoholism and chemical related problems of Indian-Inuit people. During 1982-83, this program will be cost \$21-million. The expanded program, according to the Minister, was developed through "an extensive process of consultation with Indian people over the past six months".

Unconditional Support: The National Indian Brotherhood offered "unconditional support"

for the recommendation, but questioned the sincerity of the Federal Government in its consultation process. The Inuit Tapirisat fully supports the recommendation because the most critical community problems in the North arise from alcohol abuse. The National Association of Friendship Centres told the Committee that NNAAP does some very good work but has insufficient funds.

Restricted: The program is restricted to status Indians and Inuit but the Minister is opening talks with the provinces to cost-share programs for Metis and non-Status Indians. The Minister also announced the creation of a National Council on Native Alcoholism and Drug

Abuse to advise her and the continuation of regional boards (established under NNAPP) to advise the department on management of the program.

Applause: The Committee applauds the Ministers of National Health and Welfare and of Indian Affairs and Northern Development for implementation of this recommendation.

"Fully one-third of all deaths among Status Indians and Inuit are alcohol related, while over 60% of the Indian "children in care" arrive in that situation as a direct result of alcohol abuse. Total costs attributable to Indian and Inuit alcohol abuse approach \$150 million per year. The social costs are inestimable."

FOLLOW-UP

EIGHT

DIRECT THE DEPARTMENT OF NATIONAL HEALTH AND WELFARE TO PROMOTE HEALTH AND SOCIAL SERVICE COMMITTEES AT THE BAND AND COMMUNITY LEVELS

COMMITTED

Band And Community: The Minister of National Health and Welfare wrote to the Committee that "Medical Services Branch has as a high priority in the promotion of Health and Social Services Committees at the band and community levels". Although the Minister reported a significant increase in such committees during the past year, the Department of National Health and Welfare is only responsible for health committees. The social services component comes under the Department of Indian Affairs and Northern Development.

Both Issues: There are many health committees in Native communities, but only in Nova Scotia and the Yukon do the committees address both health and social issues.

Every Two Months: In Nova Scotia, the Committee meets every two months and includes representatives from the Departments of Indian Affairs, Health and Welfare and Employment and Immigration, provincial representatives and other Federal departments involved in Indian matters. The group is presently addressing social issues and is planning a

workshop in June which will focus on a whole spectrum of social problems impacting on health.

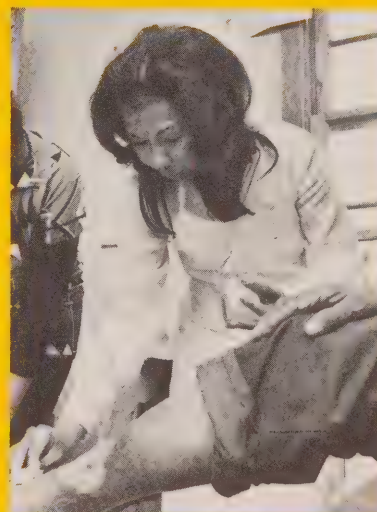
Six Communities: In the Yukon, there are inter-agency meetings at the community level in six communities, and these meetings deal with health and social concerns.

Expand Terms: The Department of Indian Affairs and Northern Development is consulting with the National Indian Brotherhood and the Department of National Health and Welfare about establishing the basis for integrating the delivery of health and social services at the community level. One proposal would be to expand the terms of reference of the National Commission of Enquiry on Indian Health (see recommendation 114).

Newfoundland: In support of this recommendation, the Premier of Newfoundland made this statement: "The concept of social service committees for the purposes suggested in recommendation 8 is a forward-looking one. We have had some positive experience with such communities in some of our Labrador native communities. That experience shows that community participation in identifying the need for social services and in planning for the

delivery of services is more effective than the traditional method of providing services. . . ."

Value: The Committee is pleased that the two Departments, Indian Affairs and Health and Welfare, have recognized the value of health and social services committees. The Committee continues to urge Health and Welfare to encourage the creation of more committees to discuss both health and social issues.



“The Indian and Inuit people often know best what the problems are which lead to disabilities among their families and friends. It is their experience and knowledge, therefore, which should be utilized in creating the curriculum of health promotion and prevention of disability.”

FOLLOW-UP

NINE

ESTABLISH HEALTH PROMOTION AND PREVENTION OF DISABILITIES AS PERMENANT PARTS OF CURRICULUM IN INDIAN-INUIT GRADE SCHOOLS

NOT IMPLEMENTED



Equivalent: The Department of Indian Affairs and Northern Development (DIAND) replied to the recommendation by stating that in the 344 schools on Indian reserves, Indian children are provided with a curriculum equivalent to that provided for

other children in provincial schools.

Missed The Point: The Committee feels that the response by DIAND indicates that they have missed the point of this recommendation. The Follow-Up Report amply illustrated the detrimental living conditions and lifestyles of Native people in comparison with those of the general Canadian population. For example, the death rate for Indians is 2 to 4 times the rate for non-Indian people. The death rate from fire for Indians is 7 times the rate for the rest of the Canadian population. It is not enough, therefore, to say that Indian children receive a curriculum on prevention of disabilities that is equivalent to

that provided to non-Indian children in provincial schools.

Greater Risk: Indian children are clearly at greater risk than non-Indian children, and therefore, need special emphasis in their school curriculum on the prevention of disabilities. The Committee reiterates its support for this recommendation and urges DIAND to reconsider its response.

FOLLOW-UP

TEN

DIRECT DIAND TO LAUNCH AN INDEPENDENT INVESTIGATION INTO OUTSTANDING GRIEVANCES OF DISABLED INDIAN WAR VETERANS

COMMITTED

\$40,000 Assistance: The Department of Indian Affairs and Northern Development has supplied \$40,000 to two Indian veterans associations to assist them in researching claims. To date, no cases have been substantiated. DIAND is developing a policy paper on such grievances, but there has been no statement forthcoming from the Department.

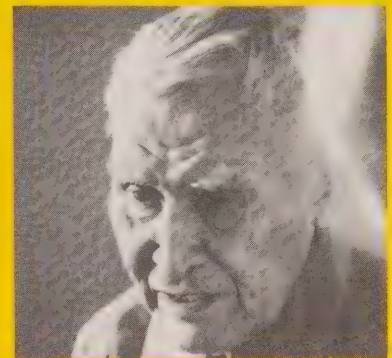
Indian Affairs Committee: On June 1, 1982, in a report to the House of Commons, the Standing Committee on Indian Affairs and Northern Development stated that it "heard with regret of the

inequitable treatment of Indian war veterans. Your Committee urges that the Department of Indian Affairs and Northern Development, in conjunction with the departments concerned, extend adequate research funding to the National Indian Veterans Association to alleviate shortcomings in the treatment of Canadian Indian veterans".

Review Files: The Minister of Veterans Affairs addressed a National Indian Veterans Association (NIVA) workshop in January 1982 and stated that he would be prepared to review the files of Indian service men and women if preliminary investigations show a pattern of discrimination. NIVA has already sent 75 names, complete

with authorization cards, to the Minister for investigation.

Serious Consideration: The Committee urges the Minister of Veterans Affairs to act quickly in investigating these claims and to give serious consideration to the appointment of an independent investigator.



"Either the veteran has been required to give up benefits as a Status Indian in order to receive veterans' benefits, or he has been forced to relinquish veterans' benefits in order to continue receiving benefits as a Status Indian."

“Ultimately, the problems that disabled Indian and Inuit persons face can be solved in significant ways only when their local governments are able to take on greater responsibility for community affairs, including the special needs of disabled persons.”

FOLLOW-UP

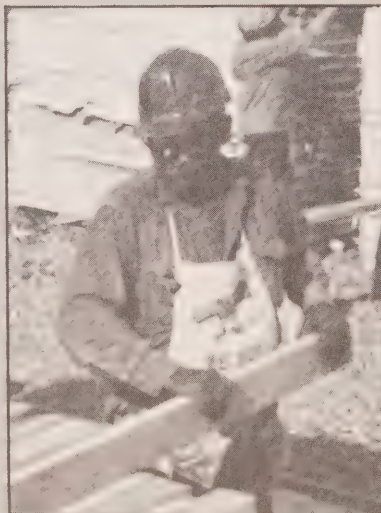
ELEVEN

DIRECT DIAND TO IMPROVE PROGRAMS WHICH PROVIDE MANAGEMENT TRAINING, INFORMATION AND TECHNICAL ASSISTANCE TO INDIAN-INUIT COMMUNITIES

UNDER CONSIDERATION

Responsibility: The Department of Indian Affairs and Northern Development (DIAND) recognizes that the problems faced by Indian people and the Inuit can be solved only when local governments are able to take on greater responsibility and authority for community affairs. DIAND has placed a high priority on its Band Training Program (program to promote Band self-government). The Committee urges DIAND to place an even higher priority on management training programs.

Feasibility: The Minister of Indian Affairs told the Committee: “I am asking my officials to look into the



feasibility of your specific recommendation, namely, the development of a comprehensive inventory of services.”

Greater Autonomy: The Committee believes that information about technical and financial resources is critical, if communities are to assume greater autonomy and provide effective local government. The needs of the disabled in Indian and Inuit communities can only be addressed in a responsible manner if the community leaders are aware of and can access all available assistance. The Committee, therefore, urges DIAND to get on with the development of some kind of Community Assistance Resource Program, as originally recommended.

FOLLOW-UP

TWELVE

DIRECT THE DEPARTMENT OF NATIONAL HEALTH AND WELFARE TO REINFORCE THE COMMUNITY HEALTH REPRESENTATIVE PROGRAM

COMMITTED

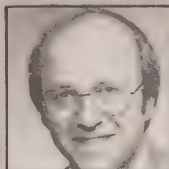
Evaluation: The Department of National Health and Welfare is presently conducting an evaluation of the Community Health Representative (CHR) program (presently there are 550 CHRs). The Department expects to improve the program as a result of this evaluation. The CHR program has been

identified as a top priority in Indian Health planning for 1982-83. The Committee sees the program as crucial to improved health care in Indian communities, and urges the Department to continue its efforts to improve the training and organization of Community Health Representatives.





COMMITTEE STAFF



RICHARD RUMAS
Clerk of the Committee



BARBARA PLANT REYNOLDS
Research Coordinator
(from the Library of Parliament)



DANIEL SULLIVAN
Graphic Designer and Copywriter



C. A. (SKIP) BROOKS
Adviser
(from the Department of National
Health and Welfare)



ISABELLE NOFFKE
Secretary

ACKNOWLEDGEMENTS

The Members and Staff of the Special Committee wish to express their appreciation to the Minister of Supply and Services, and to the Management and Staff of the Government Printing Office, Main Plant Branch, for the enthusiastic co-operation and high level of expertise which has contributed greatly to the success of the Committee's reports during the past two years. The Committee wishes to extend special thanks to Mr. Keith Sutherland, who planned the production of all reports. His dedication and skill have greatly facilitated the Committee's work since 1980.

* * * * *

OBSTACLE
OBSTACLE
OBSTACLE
OBSTACLE



REPORT OF THE SPECIAL COMMITTEE ON THE
DISABLED AND THE HANDICAPPED

Progress Report

"The single point that the Committee wants to make here is that Canada has always prided itself on its humane foundations of government. It is precisely in times of economic, political and social strain that the true humanity of a people is proved. In those times, in these present times, a country decides whether it is a nation which includes everyone, or whether it is an economically segregated society, which includes as full members only those who can pay the price of admission."

